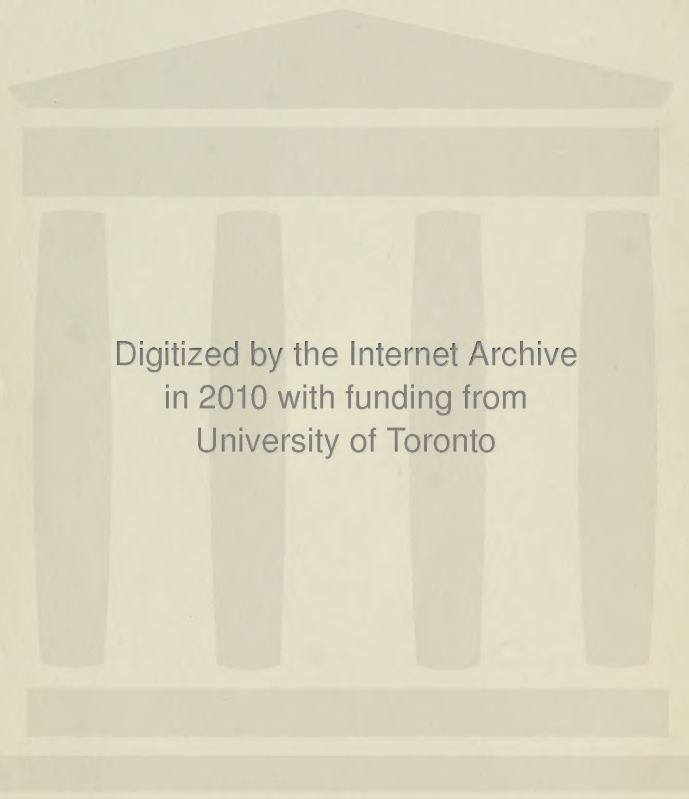




UNIV. OF
TORONTO
LIBRARY



Digitized by the Internet Archive
in 2010 with funding from
University of Toronto

7
220788
3

THE
JEWISH QUARTERLY REVIEW

NEW SERIES

EDITED BY
CYRUS ADLER

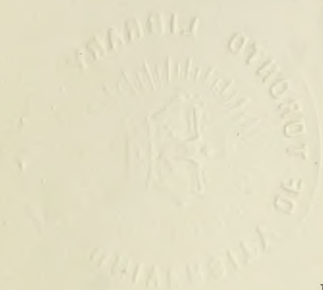
VOLUME X
1919-1920



PHILADELPHIA
THE DROPSIE COLLEGE FOR HEBREW
AND COGNATE LEARNING

LONDON : MACMILLAN & COMPANY, LTD.

418293
16.12.43



PRINTED IN ENGLAND
AT THE OXFORD UNIVERSITY PRESS

DS
101
J5
v.10

CONTENTS

	PAGE
CASANOWICZ, I. M. : Hopkins's 'History of Religions'	373
DUSCHINSKY, C. : The Rabbinate of the Great Synagogue, London, from 1756-1842	445
FRIEDENWALD, HARRY : Note on the Importance of the Hebrew Language in Mediaeval Medicine	19
GREENSTONE, JULIUS H. : Williams's 'The Hebrew-Christ- ian Messiah'	153
HALPER, B. : A Dirge on the Death of Daniel Gaon	411
HERTZ, JOSEPH H. : An Explanation of Abot VI. 3.	199
HIRSCHFELD, HARTWIG : The Dot in Semitic Palaeo- graphy	159
HOSCHANDER, JACOB : The Book of Esther in the Light of History. Chapter IV	81
MACHT, DAVID I. : A Pharmacological Study of Biblical 'Gourds'	185
MANN, JACOB : The Responsa of the Babylonian Geonim as a Source of Jewish History	121, 309
MARMORSTEIN, A. : The Takkanot of Ezra	370
MARX, ALEXANDER : Pætow's 'Guide to the Study of Mediaeval History'	529
MELAMED, RAPHAEL HAI : The Targum to Canticles according to Six Yemen MSS. Compared with the 'Textus Receptus' (Ed. de Lagarde)	377
SEGAL, M. H. : Studies in the Books of Samuel. Chapters III to V	203, 421

	PAGE
WAXMAN, MEYER: The Philosophy of Don Hasdai Crescas. Chapters V to VII	25, 291
WOLFSON, HARRY AUSTRYN: Note on Crescas's Defini- tion of Time	I
ZEITLIN, SOLOMON: Megillat Taanit as a Source for Jewish Chronology and History in the Hellenistic and Roman Periods. Chapters IV to XII	49, 237
ZEITLIN, SOLOMON: The Takkanot of Ezra	367

NOTE ON CRESCAS'S DEFINITION OF TIME

BY HARRY AUSTRYN WOLFSON, Harvard University.

IN *Or Adonai*, I, ii, 11, after refuting the Aristotelian definition of time reproduced in Maimonides' fifteenth Proposition, Crescas puts forward a new definition of his own. It reads as follows: **וְלוֹה הַנָּדָר הַנִּכּוֹן בּוֹמֵן יֵרָאֶה שֶׁהוּא יִשְׁעוֹר הַתְּדַבְּקוֹת הַתְּנוּעָה אוֹ הַמְּנוּחָה שֶׁבֵּין שְׁתֵּי עֲתוֹת**. The term **הַתְּדַבְּקוֹת** generally means 'continuity' and 'cohesion', and is contrasted with **הַתְּפִרְדּוֹת** or **הַתְּפִרְקוֹת**, which mean 'discreteness' and 'disjunction', as, e.g., in the expressions **כְּמָה** and **מִתְפַּרֵּד** corresponding to the Greek *συνεχέες* and *διωρισμένον* in *Categories*, IV. Taken in this sense, Crescas's definition of time would have to be translated as follows: '... the measure of the continuity of motion or of rest between any two instants'. To be sure, the expression 'the measure of the continuity of motion or of rest' is meaningless. But it could be explained with the help of a similar expression which occurs in Gersonides' discussion of Aristotle's definition of time (*Millhamot*, VI, i, 21). Among the several tentative interpretations of Aristotle's definition discussed by Gersonides, there is one which but for the absence of the expression 'or of rest' is like that proposed here by Crescas. It reads somewhat as follows: Time is the measure of motion between two instants. **אִם שֶׁנֶּאֱמַר יִשְׁחָזֵק אֲשֶׁר יִשְׁעוֹר הַתְּנוּעָה הוּא מֵה שֶׁבֵּין הָעֲתוֹת**. **אֲשֶׁר יִחְלָקוּ הַתְּנוּעָה, וְזֶה אֲמֵנָה יִהְיֶה כִּשְׂיֵהִיהָ מִשְׁעוֹר הַתְּנוּעָה אֲשֶׁר בֵּין הָעֲתוֹת הָאֵלֶּה**. Now, previous to his statement of this defini-

tion, Gersonides refers to the portion of time included between two instants as a 'continuous quantity' bounded by instants. והוא מבואר שהעתה ימצא לו שני צדדים מהמציאות: האחד... והאחר, הוא הנבלת הכמות המתדבק, והוא הנבלת החלק האחד מהזמן. Accordingly, the expression 'the measure of the continuity of motion' in Crescas's definition could be taken to mean 'the measure of the continuous quantity of motion', the term הכמות המתדבק being equivalent to התנועה של התנועה. Crescas's definition of motion, therefore, with the exception of the expression 'or of rest' would thus be identical with one of the tentative definitions discarded by Gersonides. It is somewhat in this sense, in fact, that the definition is taken by Eisler in his *Vorlesungen über die jüdischen Philosophen des Mittelalters*, 3, p. 144. 'Die Zeitdauer wird an der Ruhe oder an der Bewegung zwischen zwei Zeiten gemessen; die Zeit ist also das Mass für die continuirlichen Quantitäten, wie die Zahl für nicht zusammenhängende Quantitäten.'

This interpretation of the definition, however, involves some difficulties. Were this its meaning, it is strange that Crescas should take no notice of the objections raised by Gersonides against this definition. Furthermore, if that were the meaning of Crescas's definition, he has failed to prove his main point, namely, the absolute separation of time from motion. His addition of the terms 'or of rest' in the definition does not achieve that purpose, for rest is merely the negation of motion—an objection which, despite Crescas's attempt to explain it, is insisted upon, as we shall see, by one of his critics.

It is therefore necessary that the term התדבקות be rendered here not by 'continuity', but by 'continuance', or rather 'duration'. The definition thus translated assumes

an entirely new meaning, the significance of which I shall point out after a brief discussion of its origin. It can be shown that the term *התדבקות* was known to Crescas to have the two meanings of 'cohesion' and 'duration'. Thus in *Or Adonai*, I, i, 13, he suggests that the term *מתדבק* in Maimonides' thirteenth Proposition should be taken not in its ordinary sense of 'cohesion', but in the sense of 'eternal duration'.¹ או שרצה באמרו מתדבק, תמיד נצחי. Its corresponding Greek term *συνέχεια* likewise has these two meanings. Aristotle uses it in both of these meanings in one passage in the *Physics*, VIII, vii, § 3 (260 b, 20-21). In the Hebrew translations of the *Physics*, *συνεχῶς* in this passage is in one case rendered by נצחית and in another case by מדובקת.

The definition of time in terms of the duration of motion is not original with Crescas. It has a long history behind it. It was of common usage in post-Aristotelian philosophy among the Stoics and the Neoplatonists, the latter of whom tried to identify it with an ancient view of some of the Pythagoreans. Its traces are also found in the works of many Arabic and Hebrew authors with which Crescas was familiar. Crescas saw clear through the difference between the Aristotelian and the later definitions of time, and has utilized it here for his own purpose. It is due to the unoriginality of his definition, and to his reliance upon the general acquaintance of his contemporaries with the nature of that definition, that Crescas did not think it necessary to enter into an elaborate explanation of its meaning.

¹ This is the correct reading of the passage according to the Vienna, Parma, Munich, Oxford, and Vatican MSS. The Ferrara edition as well as the Paris and Jews' College MSS. read או שרצה באמרו מתדבק, מתדבק תמיד נצחי.

The clearest statement of the definition of time in terms of duration is found in Plotinus. In the *Enneads*, III, 7, 6, he says that among those who define time as a relation of motion, some identify it with διάστημα, i. e. the interval or extension of motion. What is meant by that διάστημα he does not explain. The Latin translation, however, adds the gloss 'sive spatium, sive durationem'. This gloss is probably based upon the subsequent discussion of the term διάστημα by Plotinus himself. In chapter 7 he raises the question what that διάστημα might mean, in answer to which he mentions ποσόνδε, i. e. quantity, and hence space and συνέχεια, i. e. duration.

Plotinus does not mention the name of the author of the un-Aristotelian definition of time. But we gather this information from Simplicius. In one place in his Commentary on the *Categories*, Simplicius informs us that it is Zeno who defines time as the διάστημα of motion (cf. Zeller, *Stoics, Epicureans and Sceptics*, ch. VIII, Eng. Tr., p. 197, note 2). In another place, in his Commentary on the *Physics* (cf. Simplicius, *In Aristotelis Physicorum libros commentaria*, ed. Diels, p. 786, l. 11 sqq.; and Taylor's translation of the *Physics*, p. 544). Simplicius mentions the fact that Jamblichus in the first book of his Commentary on the *Categories* quotes Archytas to the effect that 'time . . . is a certain number of motion, or the universal extension of the nature of the universe'. A little further in the same passage Simplicius mentions Damascius as the one who interpreted the term 'extension' used by Archytas to mean 'temporal extension', or 'duration'. To quote Simplicius: 'Time is the universal extension of the nature of the universe, because it is not only the extension of motion, but also of rest. . . . And as he proceeds, he

renders it still clearer, that he does not define extension according to magnitude [i.e. space] but according to the duration of the ever'. Cf. *op. cit.*, p. 787, ll. 33-4, and p. 788, ll. 18-20 καθόλου δὲ διάστημα τῆς τοῦ παντὸς φύσεως, ὅτι οὐ μόνως κινήσεως ἀλλὰ καὶ ἡρεμίας . . . καὶ προελθὼν ἔτι σαφέστερον ἐποίησεν, ὅτι οὐ κατὰ μέγεθος ὥρισε τὸ διάστημα, ἀλλὰ κατὰ τὴν τοῦ αἰὲ συνέχειαν.

Traces of this definition of time are to be found in the works of Arabic authors. In the Encyclopedia of the Brethren of Purity, we find the following statement: 'Time is also said to be the number (عدد) of the movements of the celestial sphere. Or, again, it is said to be a kind of duration (مدّة) which becomes numerically determined by the movement of the celestial sphere'.

وقد قيل انه عدد حركات الفلك وقد قيل انه مدّة تعدّها حركات الفلك.
(Cf. Dieterici, *Die Abhandlungen der Ichwân Eš-Šafâ*, Arabic text, p. 35; German translation, pp. 14-15 of Book V of his series *Die Philosophie der Araber*, &c.). Of these two definitions, it is clear, the first represents the Aristotelian, or rather the Platonic, view, the second the un-Aristotelian.

The un-Aristotelian definition seems to be implied in Avicenna's discussion of time in his *Al-Najat* (Rome, 1593, pp. 30-31) and also in his *Eš-Scfâ*, as may be gathered from Horten's translation of the latter work (cf. Horten, *Die Metaphysik Avicennas*, IV, iii, ch. 4, § 2). The term used by Avicenna in the sense of 'duration' is الاتّصال.

Following Avicenna, Algazali reproduces a similar definition in his *Makasid al-Falasifah*, *Metaphysics*, IV. He says, 'Time is a term signifying the duration of motion, that is to say, the extension of motion'.

اذ الزمان عبارة عن مدّة للحركة اى عن امتداد للحركة.

(From a copy of MS. Berl. Quet., No. 59 in the possession of Professor Henry Malter.)

The terms 'duration' and 'extension' are differently rendered in the two Hebrew translations which I have consulted. In one (MS. Cambridge University Library, Mm. 8. 24), 'duration', מֵדָה, is rendered by its Hebrew homophonous term מִדָּה, and 'extension', אִמְתָּד, by התפשטות (כי הזמן רמז למדת התנועה ר"ל התפשטות התנועה). In the other (MS. *ibid.*, Mm. 6. 30), מֵדָה is rendered by עַת and אִמְתָּד by (כי הזמן מליצה נועת התנועה ר"ל מהמשך התנועה) המשך.

The same definition is also reproduced by Sharastani, evidently from the *Al-Najat*, in his summary of Avicenna's philosophy (Cureton's edition, p. 401). 'And so there is here a measure for motions, corresponding to them, and everything corresponding to motions is something having duration, which duration implies a continual renewal of itself. It is this that we call time.'

فَإِذَا هَاهُنَا مِقْدَارٌ لِلْحَرَكَاتِ مُطَابِقٌ لَهَا وَكُلُّ مَا طَابَقَ لِلْحَرَكَاتِ فَهُوَ مُتَمِّلٌ
وَيَقْتَضِي الْإِتِّصَالَ مُتَجَدِّدَهُ وَهُوَ الَّذِي نَسَمِيهِ الزَّمَانَ.

The term used by Sharastani, which I have translated by 'duration', is الْإِتِّصَالَ, a word which, like the Hebrew התרבויות, used in Crescas's definition, is derived from a root meaning 'to join', 'to cohere', and again, like the Hebrew התרבויות, ordinarily means 'cohesion' or 'continuity'. But in the light of Avicenna's definition of time which is reproduced by Algazali, and by analogy of the Greek συνέχεια and the Hebrew התרבויות, I have taken this term here in the sense of 'duration'. Haarbrücker, who translated Sharastani into German, seems to have missed this peculiar meaning of the term and its significance in the definition of time. He consequently takes the term الْإِتِّصَالَ in its ordinary sense

of 'cohesion' (*Zusammenhang*), and thus attributes to Sharastani a definition of time as meaningless as would be that of Crescas, if we were to translate the term התרבקות in his definition by 'cohesion'.

This un-Aristotelian definition of time occurs also in the works of the early Jewish philosophers. Saadia defines time as being 'nothing but the measure (or extension) of the duration of bodies' (cf. *Emunot*, II, 11, *وكان الزمان اتّما هو*, *مدّة بقاء الأجسام*, which in Judah Ibn Tibbon's Hebrew translation reads *והזמן איננו כי אם מדת קיום הגשמים*). The essentially characteristic word in this definition is the term 'duration', for in another place in his work Saadia uses only that term in his definition of time. (Cf. *Emunot*, I, 4, 'Its essence, truly defined, is the duration of these existent objects, &c.' *... وائّما حقيقته بقاء هذه الموجودات*...). In this case Judah Ibn Tibbon translates the term *بقاء* by *השארות* and not by *קיום*. (*... אבל אמתתו השארות הנמצאות האלה*...). Now this definition of time is evidently not Aristotelian, as has already been pointed out by Guttmann (cf. *Die Religionsphilosophie des Saadia*, p. 80), for it lacks the most characteristic expression used in Aristotle's definition of time, namely, its being the number or measure of motion. But Guttmann, as we shall see, is wide of the mark in identifying Saadia's definition as Platonic. He has been led into this error by a superficial reading of a certain passage of Zeller, which he mistook to be an exact reproduction of Plato's definition of time and in which the term 'Dauer' would seem to be the most characteristic feature. (Cf. Zeller, *Phil. d. Gr.*, 2, 1, p. 521, 'Aus diesen Bewegungen der Himmelskörper entspringt die Zeit, welche nichts anderes ist, als die Dauer ihrer Umläufe'.) Plato, however, has never given a clean-cut definition of time in which the term 'duration', *διάρστημα*

or *συνέχεια*, forms the most important part. It is only from his discussion in the *Timaeus* (37-9) and from the doubtful reference to it in the *Physics* (IV, x, § 7) that we may gather some idea of Plato's conception of time, and from both these sources it appears that the most characteristic feature of his conception of time is its connexion with the movements of the celestial spheres. As to the nature of this connexion, however, it is a matter of controversy among the Greek commentators whether Plato, like Aristotle, considered time to be the measure of the motion of the spheres, or, unlike him, he identified it with the motion itself. (Cf. Simplicius, *op. cit.*, pp. 700-4, and Taylor's translation of the *Physics*, pp. 242-5, n. 4.) It is therefore more reasonable to assume that Saadia follows that un-Aristotelian definition of time which, as we have seen, is characterized by the use of the term 'duration'.

Saadia's definition seems to have been adopted verbally by Abraham bar Hiyya. He defines time as *ושאיננו כי אם מעמדת הנמצאות* [אמירה] בכ"י אמירת (cf. *Hegyon ha-Nefesh*, p. 2 a, Leipzig, 1860). By changing the dubious reading of [אמירת] בכ"י אמירת to *מדת* we have a literal Hebrew translation of Saadia's definition of time, in which the term *بقاء* is rendered by *עמדה*. Thus Abraham bar Hiyya's definition of time cannot be either Aristotelian or Platonic, contrary to a statement of Husik, according to whom time is defined by Abraham bar Hiyya as the measure of motion (cf. *A History of Mediaeval Jewish Philosophy*, p. 115).

We have thus seen that the essential part in the un-Aristotelian definition of time is the term 'extension', in the sense of temporal extension, or 'duration'. In Greek the words used are *διάστημα* and *συνέχεια*. In Arabic for temporal 'extension' Algazali uses *امتداد*, which is translated

into Hebrew by התפשטות and המשתך. For 'duration' we have the following terms: (1) بقاء, used by Saadia, and translated into Hebrew by קיום and השארות (Judah Ibn Tibbon) or by עמדה (Abraham bar Hiyya). (2) مَدَّة, used in the Encyclopedia of the Brethren of Purity and by Algazali, and rendered into Hebrew by מדה and עת. (3) الاتصال, used by Sharastani and Avicenna, which is the exact equivalent of the Greek συνέχεια. The Hebrew for this is התרבקות, and it is this term which is used here by Crescas. In all these definitions of time, as we have seen, the term 'duration' is used either together with the term 'motion' (Plotinus, Arabic authors), or without it (Archytas, Saadia, Abraham bar Hiyya). The term 'motion', therefore, is not an essential part of this un-Aristotelian definition. If it is used at all, it is used for some other reason, and not necessarily to the exclusion of 'rest', as will be presently explained. Thus Crescas significantly says in his definition of time that it is the measure of the duration of *motion or of rest* (cf. Simplicius's citation from Damascius quoted above).

Let us now see what the significance of this un-Aristotelian definition is, and how it differs from the Aristotelian definition.

To begin with, these two definitions imply two fundamentally different conceptions with regard to the problem of the reality of time. Aristotle himself, as is well known, raised the question as to the reality of time. His own view on this point amounts to a compromise. Time is partly real and partly ideal. In so far as it is conceived only in connexion with motion it is real, for motion implies the existence of a moving object and a space medium. But in so far as time is not identical with motion, it being

only the measure or number of motion, it is conceptual, for the act of measuring or numbering is mental (cf. *Physics*, IV, xv). The implication of the un-Aristotelian definition, on the other hand, is that time is purely ideal. We thus find that Crescas, after having stated this definition of time, derives from it the logical conclusion, as follows: 'Consequently it may be inferred that the existence of time is only in the soul' ולזה יראה היות מציאות הזמן בנפש. According to this view time is absolutely independent of motion, magnitude, and space. It could have been conceived by the mind even had there been no external world in existence. We thus again find Crescas contending, as a consequence of his definition of time, that the statement of R. Judah bar R. Simon that the order of time had existed previous to creation (*Bereshit Rabba*, ch. III) should be taken in its literal sense. ולזה יתאמת מאמר ר' יהודה בר רבי סימון בפשוטו והוא מלמד שהיה סדר זמנים קודם לבן (cf. *Morch*, II, xxx).

But time, in its purely ideal nature, when conceived absolutely apart from motion, is indeterminate and immeasurable. It is an unqualified limitless duration. It does not become a subject of measurement unless it is conceived in connexion with an external moving object. For the existence of an object in motion implies three things: (1) a corporeal magnitude, which is the subject of motion; (2) space, which is the medium of motion and within which one may distinguish the different distances traversed by the subject; (3) the process of motion itself, which is subject to a variation of velocity. And thus when there is an object in motion we are able to obtain a definite portion of time by dividing the distance by the velocity. This does not mean that motion will give

rise to time; it only means that through motion we are enabled to get a part of definite time out of the indefinite duration which has an independent conceptual existence of its own. Time appears to us in its definite proportions only in the ratio of distance and velocity (cf. Sharastani and Algazali, *op. cit.*; and Altabrizi's commentary on Maimonides' Twenty-five Propositions, Prop. XV). Hence Crescas's definition that time is the measure of the duration of motion or rest between two instants.

This difference between the two definitions may be further stated in the terms of the mediaeval scholastic discussion whether time was materially or only formally different from motion (cf. Suarez, *Metaphysicarum Disputationum*, ed. 1614, part II, p. 472 b 'An tempus in re distinguatur a motu'; cf. also *Annotaciones* to Duns Scotus's *Quaestiones in Libros Physicorum Aristotelis*, Quaestio XV, ed. Vivès, p. 125. According to Aristotle's definition time is only formally different from motion; materially they are both identical. Or, to put it in the language of Simplicius and Averroes, time and motion are according to Aristotle the same in subject ($\psi\pi\sigma\kappa\epsilon\iota\mu\acute{\epsilon}\nu\omega = \text{בניש}$) but different in definition ($\lambda\acute{o}\gamma\omega = \text{בניש}$). Cf. Simplicius, *op. cit.* IV, II, p. 712, ll. 18-19 $\acute{\alpha}\lambda\lambda\acute{\alpha} \kappa\acute{\alpha}\nu \tau\hat{\omega} \psi\pi\sigma\kappa\epsilon\iota\mu\acute{\epsilon}\nu\omega \tau\acute{\alpha}\nu\tau\acute{\alpha} \hat{\eta}$, $\tau\hat{\omega} \lambda\acute{o}\gamma\omega \delta\iota\alpha\phi\acute{\epsilon}\rho\epsilon\iota$. Just as five things are in their subject wood, but they are five according to number, so are time and motion. Their common subject is the moving object. When we view this object with reference to its motion between co-subsistent prior and posterior points in space we get pure motion. But when we view it with reference to successive prior and posterior points which are not in space, we get time. According to the definition adopted by Crescas, on the other hand, time and motion are

materially different. In order to exist, time, unlike motion, does not imply the existence of an object in space. Its existence is purely conceptual. In order to be measured, however, this requires the existence of an object moving in space; for definite time is obtained by the division of distance by velocity.

That these two definitions revolve, as I have been trying to show, about the problem of the reality of time, is clearly brought out in two passages of Algazali and Averroes. As we have already seen, Algazali defines time in terms of 'duration'. Averroes, of course, follows Aristotle. Now, in his *Hapalat ha-Pilusuphim*, I, Algazali makes the following statement: 'Passing by itself is time; passing on account of something else is motion, for motion passes by virtue of the passing of time.' העובר בעצמותו הוא הזמן, והעובר בזולתו הוא התנועה, כי הוא העבור בעבור הזמן. To this Averroes replies in his *Hapalat ha-Hapalah*, I, as follows: 'What he says is true enough, and, indeed, it proves the truth of what we have said about the nature of time. Certain it is, however, that the 'before' and the 'after' of time include at once their respective parts of motion as well as their respective parts of duration, not merely their respective parts of duration. This is in opposition to Algazali' (quoted in Narboni's Commentary on Algazali's *Kawwanot*, Metaphysics, IV, (MS. Paris, Bibl. Nationale, Cod. Heb. 901):

ואמר בן רשד בהפלת ההפלה, כי זה שאמרו מבוואר בעצמו, וזה באמת מועיד על אמתת מה שבארנוהו. ואמנם הקודם והמתאחר מן הזמן יכללו באמת חלקי התנועה עם חלקי ההמשך יחד, לא חלקי ההמשך לבד. וזה בחלוף אבותאמר.

The point at issue between Algazali and Averroes is clear. To the former, time is abstract duration, materially

differing from motion. Hence it is ideal. To the latter, time is materially identical with motion. It is therefore in so far real. In another passage, quoted by Narboni in his Commentary on the *Moreh*, Part II, Proposition XV, Averroes makes his point still clearer. He says that while time must always involve motion, pure duration, conceived without motion may be termed 'eternity':

ואמר בן רשד, זה לשונו: הזמן מליצה מהמשך מציאות למציאות המתנועעות, ולכן לא יצויר הזמן אלא עם התנועה, והנצח, הוא דהר בערב, מליצה מהמשך מציאות הנמצאות הבלתי מתנועעות, ולכן יאמר באלו שאינם בזמן, וירצה אמנם כי הזמן לקוח מצד בחינת נושא ההמשך שהוא התנועה, ובכלל התנועה, מצד שהוא נלקחת, והמשכה; כי הוא המשך התנועה אשר במתנועע הראשון, הכולל לכל הנמצאות המתנועעות ומשתנות בו, בשני המוקף במקיף, כי אנהנו משתנים מפני שאנהנו במציאות משתנה, והנצה לקוח מצד בחינת המשך מציאות מופשט, והוא דמות זמן, לא אמתת זמן. כי אין ספק שהנבדלים נמצאים תמיד וגמשך מציאותם, אך לא יתואר בזמן, כי אין מטבעם התנועה אשר הזמן נמשך לה, ואין בזמן מציאותם, אחר שהזמן הוא בהיותם הימים אשר מציאותם בם. 'Said Averroes, and we quote him verbatim: "Time is an appellative term for the duration of the existence of such objects as have motion. Consequently time cannot be conceived but in connexion with motion. Eternity—*dahr* in Arabic—is an appellation for the duration of things that are immovable. Hence immovable beings are said to have no existence in time." By this he means to say that time is to be taken with reference to the *subject of duration*, which is *motion*, and that it must be implicated in that motion, with reference to which it is taken, and the duration thereof—for time is the duration of the motion of the first movable [sphere] which comprehends all other objects and through which all those objects are moved and changed in the same manner as an object enclosed within another object is said to change through the change of

the object enclosing, for we do all change because we exist within something changing. Eternity, however, is to be taken with reference to *abstract duration*. It has the semblance of time, but is not real time. Thus while there can be no doubt that the immaterial intelligences continue for ever and have duration, they cannot have the predication of time, inasmuch as their nature precludes motion with which time must be related. Their existence therefore is not in time, since to be in time means to partake in the motion of the heavens in which things have their existence.' (Cf. also De Boer, *Die Widersprüche der Philosophie nach al-Gazzali*, pp. 23-5.)

The same contrast between the Aristotelian and un-Aristotelian definition of time is again brought out by Narboni in his Commentary on the *Katwanot*, Metaphysics, IV, where he compares Avicenna's and Algazali's views with that of Averroes :

אמנם אבותאמר ואכן סינא לא לקחו המספר אשר אמרו אריסטו מקום מספר חלקי התנועה, אבל מספר חלקי המשך אשר לשלמות הראשון. ולזה אמר ששרש המשכות שרש הזמן, ר"ל, סוגי מבלי הכנס הנושא בו, וזה להבדל טבע הזמן מטבע התנועה במאמר, ר"ל, בנדר, ר"ל מצד חלופו בנושא ג"כ, אם הוא נמשך לו, אבל לא שיכנס בו. וזה בחלוקה בן רישד. כי בן רישד מורה, כי המשך והתפשטות מציאות התנועה היומית הוא אמתת הזמן, רק כי הוא יחשוב שהוא צידת הזמן לא כללות זמן, וזה כי לפי שבן רישד, הזמן כמו שאמרנו הוא שיעור התנועה . . .

'Algazali and Avicenna, however, do not take the term "number" used by Aristotle in the sense of the number of the parts of motion, but as the number of duration which is of the nature of a primary entelechy. He thus says that the essence of duration is the essence of time, that is to say, they have a generic identity without implying a common

subject [i.e. motion]; and this follows as a consequence from the view that the nature of time differs from that of motion in expression, i.e. in definition, as well as in subject. Though motion bears some relation to time, it is not part of it. This is in contradistinction to Averroes's view. For while Averroes admits that the duration and extension of the diurnal motion [of the sphere] is the essence of time, he considers that to be only the form of time but not the whole of it [i.e. they are related in form, not in substance]. According to Averroes, as we have pointed out, time is the measure of motion, &c.'

In adopting this un-Aristotelian definition of time Crescas has therefore attained his main purpose, namely, the absolute separation of time from motion. The main characteristic of this definition, as has been shown, is the identification of time with pure duration. Motion comes in only as a means of measuring off a definite part of time, and for this rest may do as well as motion. The full significance of this definition has not always been fully understood. Isaac Ibn Shem-tob (fifteenth century), who like his nephew Shem-tob ben Joseph Ibn Shem-tob, the well-known commentator on the *Morch*, makes several disparaging remarks about Crescas in his supercommentary on Averroes's *Intermediate Physics*, missed the main point of this definition. Taking Crescas's definition to differ from that of Aristotle only in the addition of the term 'rest', he argues as follows: Since rest is only the negation of motion, by defining time in terms of rest, it still logically implies the existence of motion. Isaac Ibn Shem-tob does not explicitly mention the name of Crescas in this particular instance. He refers to him only as a 'certain scholar from among the philosophers'. It is clear, however, that he

refers there to Crescas, whom he names and criticizes in other parts of the same work :

ועוד יש למספק שיספק שיאמר שאחר שאריסטוטלוס אומר בפרק הבא
אחר זה שהזמן משער למנוחה בציורו לתנועה השווה לה, למה זה ועל
מה זה לא אמר בגדרו אריסטו מספר התנועה והמנוחה ונאמר
בהתרת הספק הב"ה, שכבר בארנו בהתרת הספק שעבר שאינו נמצא
אמתת זמן במנוחה [. . . "זמן הוא קנין ומנוחה הוא העדר . . . ויהיה
א"כ העדר הקנין משער להעדר באמצעות ציורנו דבר נמצא"] ואחר
שוה כן א"א שנאמר שיהיה ראוי שתלקח המנוחה בגדר הזמן כמו שכבר
חשב חכם אחד מן החוקרים בזה המקום.²

The discussion of time in Arabic and Jewish philosophic literature, as here outlined, may prove to be of some historical significance. In it we already find all the problems about the nature of time that are discussed at length by the later Scholastics—the problem as to the definition of time, whether it should be in terms of motion or in terms of pure succession, as to its reality, and as to the nature of its distinction from motion. We have seen how all these problems are interdependent. It is interesting to note that the Scholastics have not always seen this interdependence of the problems. Furthermore, Crescas's definition of time and its historical background may throw light upon Spinoza's discussion of the same problem. Spinoza, as is well known, distinguishes between time and

² From an unpublished work in the Cambridge University Library, Mm. 6. 25. This work I have found to be identical with the anonymous commentary on Averroes's *Intermediate Physics* in Munich, Cod. Heb. 45. Steinschneider ascribed the latter work to Isaac Albalag (*Uebersetzungen*, § 49), which can be disproved independently by internal evidence. In connexion with Isaac Ibn Shem-tob I may also state that I have proofs which conclusively show that he is the author of the three commentaries on the *Physics* found in Trinity College, Cambridge, R. 8. 19, which are described by both Schiller-Szinessy and Steinschneider as anonymous (cf. *Uebersetzungen*, § 52 c).

'duration'. Duration is indefinite time. Time is only one of the 'modes of thinking, or rather of imagining' (*cogitandi, seu potius imaginandi, modos*), to measure off a definite portion of time (cf. *Epistola*, XII, *olim* XXIX). Without misprizing the originality of Spinoza's conception of time and eternity as a whole, it can be shown that he is freely operating with terms and ideas of long standing in the Jewish philosophic literature. To students of Bergson, too, it may perhaps be of some interest to compare his distinction between 'pure duration' and 'mixed time' with the implications of the two contrasting definitions of time which we have discussed.

NOTE ON THE IMPORTANCE OF THE HEBREW LANGUAGE IN MEDIAEVAL MEDICINE

BY HARRY FRIEDENWALD, Baltimore, Md.

THE prominence of the Jews in the practice of medicine during the Middle Ages is well known. As medical teachers, as translators and as authors, they took high rank. Their literary work is chiefly associated with the Arabic School. Yet a large part of their medical writings were written in Hebrew or were translated into that language. The best evidence of this is to be found in the works of Steinschneider, in his catalogues of the Hebrew MSS. in the libraries of Berlin, Munich, and Oxford, and especially in the chapter on Medicine in his *Hebräische Uebersetzungen*.

The relatively large number of Hebrew medical writings in themselves furnish the proof of the important part which Hebrew played in the diffusion of medical knowledge. There are other facts, however, which bear similar testimony in a striking manner.

(a)

In his decree published May 30, 1497, King Manuel of Portugal gave permission to Jewish physicians and surgeons to study Hebrew medical books under certain conditions: 'And furthermore it is our pleasure that such physicians and surgeons as have been and as

shall be converted and do not know Latin, may keep Hebrew books relating to their profession; and this is to be understood as relating to those who are at present surgeons and physicians and have not yet become Christians, but who will become Christians in the future and (it is) not (to be understood as relating) to any others.¹

(b)

Another reference, bearing even more striking evidence of the importance of Hebrew medical writings is found in an address of Peter Schade, otherwise known as Petrus Mosellanus. This address was entitled *Oratio de variarum linguarum cognitione paranda*, and was delivered in Leipzig in August, 1518. The copy in my possession was published in August, 1519.² On p. 49 there is the following statement:

Nunc vero ad salutarem illam et naturae ipsius velut consiliariam medendi artem progrediamur. Haec professio ut est omnium utilissima et mortalibus necessaria, ita tota ex linguarum cognitione pendet. Nam cum omnium gen-

¹ The decree is to be found republished in full in Kayserling's *Geschichte der Juden in Portugal*, Leipzig, 1867, p. 347. The sentence in the original is as follows:—'e asy mesmo nos praz que hos fisycos, e solorgiaes que ssam convertidos e sse converterem, e senao ssouberem latim possam ter livros de artes em ebraico; e ysto sse entemdera nos que aguora ssao solorgiaes, e fisycos antes de serem convertidos, e sse tornarem chrisptaos, e outros nenhys nao.'

² Mosellanus was born in 1493 in Bruttig on the Mosel river. He studied in Cologne and Erfurt and later in Leipzig. In 1517 he became professor of Greek and Latin at the last-named university and subsequently its rector. He was a prolific writer and must have been a remarkable man to have become as distinguished as he was in but a few years; for he died when only thirty-one years of age. An account of his life is found in *Allgem. Deutsche Biographie*, vol. XXII, p. 358.

tium hominibus sint morbi communes, remedia quoque contra hos pro vario linguarum genere varie sunt tradita. Quae diligenter ubique rimari, an non fuerit medico gnavo iucundissimum, commodissimumque? Qui autem rimabitur si linguarum sit imperitus? An non ut omnes aliae et haec ars primum omnium a Iudaeis est percepta et hinc Iudaico sermone conscripta? Latet adeo in Hebraeorum bibliothecis rei medicae thesaurus ingens, ut nullius alterius linguae libris aequari posse videatur. Eum citra Hebraicae grammaticae cognitionem in lucem eruere poterit nemo. Hic mentior, si non et gravissimi homines et inter Christianos linguarum peritissimi nostrae sententiae subscribunt et principes ut quisque maximus est et cordatissimus, medicos quoque Iudaeos sibi asciscunt. Quis enim nescit, Fridericum Romanorum Imperatorem eius nominis tertium, Iudaicae medicinae potissimum beneficio in imperio annos supra quinquaginta vixisse? Non et Iulio Secundo Pontif. Max. vitam ab omnibus pene deploratam, arte sua Iudaeus ille medicus prorogavit? Quin et hodie non sine Latini imo et Christiani nominis infamia, non raro a nostris medicis ad Iudaeos *provocatur*. Pudet perfecto, pudet a Iudaeis expectari quod in Christianis desyderetur. Quo autem modo Christianus, non multis partibus libentius valetudinem suam credet medico Christiano, si modo eandem medendi rationem ex Iudaeorum fontibus hauserit? Et quid vetat, quominus felicitis ingenii adolescentes Christiani, huic professioni destinati pauculis annis, imo, si adsit discendi ardens libido, mensibus eam linguam, quatenus ad iudicandum, intelligendumque satis est, condiscate? Doctissimus ille Origenes, sanctissimus Hieronymus, quamquam iam decies fere veteris instrumenti libris in Latinum sermonem conversis, ad sinceriore[m] tamen theologiae cognitionem, ille senex,

hic iuvenis maturus Hebraeorum alphabetum discere nec erubuerunt, viri tanti, nec desperaverunt natu grandes: et nos adolescentes ac pueri quo rem medicam, in qua non sine vitae periculo aliquid nescitur, syncerius liceat tractare, idem praestare cunctamur?

Ergo si turpe Christiano Iudaeis in arte sua cedere, si pudendum professionis suae duces non intelligere, si indecorum in suo negotio barbarum videri, quid restat optimi iuvenes, quotquot huic ordini nomen dedistis, quin ad linguarum studium, quo haec omnia devitare poteritis, accingamini?³

This may be rendered in English as follows:

Now let us proceed to that salutary art of medicine, the art which, so to speak, acts as advisor of nature herself. This profession, as it is the most useful of all, and necessary to mortals, so it depends entirely on a knowledge of languages. For, since diseases are common to men of all nations, remedies for these have been handed down in various fashions according to the different nature of languages. And would it not be most pleasing and appropriate for a diligent physician carefully to search out these things everywhere? And yet who will search them out if he is unskilled in languages? Has not this art, like all other, been learned first of all by the Jews and thence written down in the Jewish language? There lies hidden in the libraries of the Jews a treasure of medical lore so great that it seems incapable of being surpassed by the books of any other language. This (treasure) no one

³ I am greatly indebted to Professor Alexander Marx for having called my attention to this interesting oration and to Professor David S. Blondheim and Mr. C. H. Coffin for aid in translation.

without a knowledge of Hebrew grammar could bring forth into the light. And I am mistaken if the most reverend men and those among the Christians who are most skilled in languages do not concur in my opinion, and if the chief men, as they are all very great and very prudent, do not receive Jewish physicians unto themselves. Who is ignorant of the fact that Frederick, Emperor of the Romans, the third of that name, ruled the empire more than fifty years by virtue of the service rendered to him by Jewish medical skill? And also that famous Jewish doctor, by his skill, prolonged life for Pope Julius II after people had almost begun to mourn for him? Nay, more, not without shame to the Latin and indeed to the Christian name, people appeal to Jews after trying our physicians. It is shameful, indeed shameful, that there should be expected of Jews what is lacking in Christians. Wherefore, will not a Christian very much more willingly entrust his health to a Christian doctor if that doctor has only learned the same method of treatment from Jewish sources? And what prevents our Christian youths of quick intelligence, who are destined for this profession, from learning this language, in a few years, or if they have a burning desire for study, in a few months, up to a point necessary for comprehending and understanding it? That most learned man, Origen, and the blessed St. Jerome, although the books of the Old Testament had been translated into Latin some ten times, nevertheless, for the purpose of (acquiring) a better knowledge of Theology, (these two men) the one an old man, the other a mature young man, were not ashamed to learn the Hebrew language, nor did these men despair of this, and we, young men and boys that we are, do we hesitate to do the same thing in order better to carry on the

medical art, in which no knowledge is neglected without danger?

Therefore, if it is base for a Christian to yield precedence to the Jews in his own art, if it is shameful not to understand the leaders of his own profession, if it is unseemly to appear uncouth in his own *métier*, what remains, oh noble youths, as many of you as have dedicated your lives to this profession, what remains, I say, but to devote yourselves to the study of languages by means of which you may avoid all those things?

THE PHILOSOPHY OF DON HASDAI CRESCAS

BY MEYER WAXMAN, New York.

CHAPTER V

PROVIDENCE AND FREE WILL.

CRESCAS posits that the providence of God extends also to particulars, yet it is not entirely uniform. It presents rather a kind of graded scale. It is in some aspects generic and universal, and in some way individual. The general is again subdivided into a more general order where the system is natural law without any particular attention to the perfection of the species or individual included, and into a special kind where the perfection of the unit is in some way taken into consideration. Again, the individual providence, though not in the form of natural law and a kind of special, yet admits of division. There is some kind in which the perfection of the provided individuals is completely taken into view, and some kind in which the relation of Providence to the provided is not so absolute in regard to their perfection. Crescas goes on to exemplify his division. The general Providence is seen in every existing being, in its composition, natural tendencies, organic functions, mental powers, and so forth. Although these forces vary according to the genus and the species, they are alike in every individual of the species; we see, therefore, that natural laws are taken in as a part of Providence. The human species is an example of general

and special Providence, since it is endowed with reason. It is general, for every individual participates in it alike, but special at the same time as it is only for that species alone. Thus he goes on to unnecessary details. The particular Providence, in his conception, consists in the spiritual reward and punishment, for the following of an ethical and religious life or the opposite. This kind of Providence is in complete relation to the degrees of perfection of the various individuals, and it is arranged and determined by God's eternal will.¹⁸⁵ We observe here already a departure from the theories of the Jewish Aristotelians who emphasized the intellect as a means for special providence,¹⁸⁶ and asserted that the higher man ascends in the scale of intelligence the greater claim he has upon God's special interest. Crescas, on the other hand, asserts the practical and ethical value over the intellectual.¹⁸⁷

The problem of injustice in this world is taken up next by Crescas. It was always a stumbling-block to religious thinkers, and various solutions have been offered for its removal. Of these Crescas quotes several. The first is the Maimonidian, which denies the existence of the problem either by doubting the subject, namely, whether the righteous is really righteous or only apparently so, or by questioning the predicate, saying that the evil of the righteous is for the purpose of the good, and the good of the wicked for the purpose of evil.¹⁸⁸ Both possibilities are objected to

¹⁸⁵ והוא מבואר היות ההשגחה הזאת מסודרת ומוגבל ברצונו הקדום, *Or Adonai*, p. 35 a. קדום here is to be taken rather as eternal than predestined. Crescas uses the word often in the sense of eternal.

¹⁸⁶ See above, chapter III. Ibn Daud, and cp. also Maimonides on this point.

¹⁸⁷ *Or Adonai*, p. 35 a.

¹⁸⁸ *Ibid.*, p. 35 b.

by Crescas. The fact is that we observe at times that evil befalls a man when he acts righteously, and again when the same man turns to the wrong path he succeeds. This turn of events gives the case a problematic status, for whatever the man really is, not apparently, the results ought at least to follow in opposite directions. On the other hand, the denial of the predicate is contravened by fact, for we find many evils that befall the righteous with no purpose for the good, and the opposite.

Again, the solution of the quasi-Aristotelians, which is rather Neo-Platonic, that evil has its origin in matter and has little to do with God, is not satisfactory, for that simply leads to admit a shrinkage of God's power. Gersonides tried to solve this question in a peculiar manner.¹⁸⁹ Providence follows the intellectual scale. Man through his reason and potential unity with the active reason stands in a certain relation to God. The more man develops his mental powers the nearer he comes to God, and so is said to be under special Providence. On the other hand, the one that neglects the cultivation of the intellect is forsaken. The purpose of the special Providence is to provide the deserving with adequate causes to obtain the good. However, exceptions to the rule occur very often, and the cause of these exceptions is the influence of the spheres. The wicked sometimes prosper because of a certain sidereal arrangement. Again, the suffering of the righteous may be explained through other causes also. As for the influence of the spheres, though in particular cases it may be unjust, yet taken as a whole it tends for the good, preservation of the existence,

¹⁸⁹ Crescas refers to Gersonides by the term *חכמינו* 'some of our sages', *Or Adonai*, p. 35 b.

and general good. In this way they tried to solve the problem of injustice as well as the question of evil, how they can be related to God. The evil is severed from the direct connexion with God. It befalls man when forsaken to the natural order, caused by sidereal or spherical influence.¹⁹⁰

This confused theory is justly rejected, for according to it the main emphasis is laid upon contemplation, and a man can be as wicked as possible, yet by virtue of his philosophical attainments be entitled to special Providence, which is contrary to every religious principle. Again, the undue influence of the spheres causes shrinkage in Divine providence. Crescas, therefore, propounds his own solution. It is actuated by a deep religious motive, but at the same time by an exalted feeling which may compare in depth to the Kantian theory of ethical autonomy. The real good is not the material good, nor is the real bad the material evil, but the spiritual. It has been evidenced by experience that practice of virtue brings about the acquisition by the soul of a tendency and inclination to virtue, and surely this tendency is strengthened if it was there before. The more a man practises virtue under adverse circumstances the greater his perfection. It follows then that when the righteous suffer it is really for their own good, for by this their perfection increases, and their inclination is deepened, which is the real good.¹⁹¹ Crescas does not exclude other

¹⁹⁰ *Milhamot*, IV, 6; *Or Adonai*, p. 36 a.

¹⁹¹ וזה אמנם אחר שנתאמתה ההקדמה האומרת ש"הפעולות יקנו תכונה ומדה קבועה בנפש וכ"ש שיחזקו אותה אם היא קנויה בכבר, ולזה יתאמת שהמנוסה בפעל רשום בשיעמוד בנסיונו הנה כבר קנה שלמות נוסף על שלמותו . . . ואיך שיהיה הנה הרע שיגיע בדרך הזה ואם היה שלא תהיה תכליתו טוב נשמי הנה הוא טוב גמור אחרי שהונהג הנמול האמתי הוא הנפשי, *Or Adonai*, p. 37 b.

possibilities such as have been put forth by previous thinkers, as evil occurring to the righteous through ancestral wrongs¹⁹² or other causes. He, however, does not succeed with the other part of the problem, why the wicked prosper. He resorts to the usual methods employed by his predecessors. He remarks, nevertheless, that it is possible that the good of the wicked is for the purpose of spiritual badness, but it does not work out so well as in the first case.

The question of the existence of evil in this world is answered by him, that there is not such a thing in the world. We must observe here that all these philosophers have never reflected upon the natural evil which abounds so much in the external world: they concentrate their discussions upon human events, and though these may arise through natural agencies, yet the question of the wherefore of such agencies of destruction has never been taken up, otherwise they would form a better conception of natural law. Maimonides makes some remarks on the subject attributing evil to the imperfection of matter, but does not treat the problem sufficiently. The bad things that befall the righteous have been shown to be for the purpose of the good, and as for the sufferings of the wicked such a phenomenon from the point of justice cannot be called but good. Crescas here takes up a third question. It has been asked, How can we say that God's providence extends to man? Is it not a belittling of God to speak of Him as being interested in man? In answer to this,

¹⁹² Such a solution of the question was not unknown to the ancient Greeks. The whole trilogy of *Oedipus Rex* and *Antigone* by Sophocles is interwoven with that idea. Oedipus and his children suffer through no wrong of their own, but because of the ancient curse on the house of Laius.

Crescas brings out an interesting point in his theory. We have seen, he says, that God through His will is the cause of the existing things and their continual creation. But there is no will in regard to a certain thing unless there is a certain desire or love for the things created by that will. It follows, then, that since there is a love of God for the created things, that those things should be provided no matter what the actual causal relation is, whether mediate or immediate, for the love of God which is strictly connected with His creative will permeates them all, and there is no belittling in saying that God takes interest in man. This love of God to His created things does not lay any special emphasis upon the degree of contemplation the being possesses.¹⁹³ This remark is intended against the Jewish Peripatetics who, as remarked, made speculation an important step in the ladder of Providence. The difference between this kind of love of God, which is ethical, and that of Spinoza's, which is strictly intellectual, has been remarked above.¹⁹⁴ The interesting Spinozistic discussion of evil, which resembles in some point that of Crescas, will be discussed with the question of determinism.

POTENCE.

Since it is evidenced by experience and reason that incapacity is a defect in God, it follows that God's potency is infinite in all respects, in whatever way reason may conceive its existence, though experience may not corroborate it. He is omnipotent, for would He be limited in one way, then beyond that boundary He would be incapable, and this is contrary to the conception we have

¹⁹³ *Or Adonai*, p. 38 a.

¹⁹⁴ Chapter II.

of God. When saying 'infinite in all respects', Crescas explains that he means by it the inclusion of several kinds of infinite.¹⁹⁵ There may be, he says, an infinite in time and an infinite in strength, and he emphasizes that God is said to be infinite in both ways. He, however, expresses himself against a blind and extreme conception of omnipotence. As it was mentioned, this infinity of potency is bounded by reason. We cannot, therefore, attribute to God the accomplishment of a logical impossibility, such as the existence of two contraries in one thing at the same time. Such a limitation is really no contradiction to the concept of omnipotent, for the ability to bring about the existence of a thing which cannot be conceived by reason is not included at all by the word potency, and therefore the lack of such potency is not a defect. Likewise, we can affirm that God cannot contradict the first axioms, המושכלות הראשונות, for their annulment would imply a concentration of the contraries and such things. He is, however, not bounded by experience; we cannot assert that God cannot do such things as are impossible according to our experience, for as long as reason can possibly conceive it, it is within His sphere of potency.¹⁹⁶

In connexion with his discussion on potency, Crescas makes a few remarks on Aristotle's proof of the existence of God and the conception of it. Aristotle, he says, has only proved through the eternity of movements the existence of an infinite separate force in time but not in strength. In other words, the God of Aristotle is not perfect. It is true that the force moving the sphere is

ואמנם אמרנו בב"ת מכל הצדדין למה שהבב"ת לו ב' בחינות ממנו¹⁹⁵
 בב"ת בזמן וממנו בב"ת בחזק, *Or Adonai*, p. 40 b.

¹⁹⁶ *Ibid.*

eternal or infinite, but it does not follow that it can move the daily sphere in less than twenty-four hours, and it may be limited by impotency. But the right conception is, he says, that there is no relation between God and the things acted upon, for all determination arises from a certain relation, but when doing away with that relation He is necessarily omnipotent. Crescas goes on to say that the infinite potency in time and strength is not only potential but actual. The attribute of potency is indetermined, for the foundation is only will, and it is this that is meant by infinite, namely, the impossibility of being determined.¹⁹⁷

In comparing the Spinozistic theory of potency with that of Crescas, we notice a striking resemblance not only in conception but also in language. Spinoza, as well as Crescas, conceives God to be omnipotent, and understands by it, at least in formal language, the same thing as Crescas, that 'He decreed things through and purely from the liberty of His will'.¹⁹⁸ It reminds us directly of the closing sentences of the preceding paragraph, where Crescas emphasizes the relation of potency to will and defines God's infinity to consist in the lack of determination, which is exactly what Spinoza means by the liberty of His will.¹⁹⁹ Spinoza also quotes in several places the fact that true things cannot become false by God's potency.²⁰⁰ It is true that the contents of the later (especially in the *Ethics*)

¹⁹⁷ *Or Adonai*, pp. 40 b, 41 a.

¹⁹⁸ 'Nos vero qui iam ostendimus omnia a decreto Dei absolute dependere, dicimus deum esse omnipotentem; at postquam intelleximus cum quaedam decrevit ex mera libertate sue voluntatis, ac deinde eum esse immutabilem,' *Cogitata Metaph.*, Part II, 9.

¹⁹⁹ *Ethics*, Proposition XVII.

²⁰⁰ *Cogitata Metaph.*, *ibid.*, p. 493; *Epistola XLIII*.

Spinozistic conception of omnipotence is considerably different from that of Crescas. The impersonality of it and the mechanical interpretation are too patent to ignore, while Crescas's view is surely a personal one. Crescas has not discussed the question whether God could create another world or a better one than the present, a question which is discussed by Spinoza at great length in *scholia* to propositions XVII and XXXII in his first book of *Ethics*, and to which he gives a negative answer; but from the trend of Crescas's thought it can be inferred that he would be forced, following the logic of his reasoning, to assume a similar view. If, as he insists, God is indeterminate and infinitely perfect, what then prevented Him from creating that other world unless we should attribute to Him imperfection. But Crescas really never followed the logical conclusions to the extreme, but always turned off at an angle (as has been remarked above in Chapter II concerning the unity of God). The same occurred here; he uses his definition of infinite potence rather to prove the possibility of miracles and *creatio ex nihilo*, which really do not follow logically. We shall return to this subject once again.

FREE WILL AND DETERMINISM.

Crescas, in discussing the very important question of free will and determinism, follows his usual method in analysing all the points *pro* and *contra*. The possible (האפשר) exists, for we observe that things have a number of causes, and some of them are cognizable, others are wanting, and it is possible that all the causes exist and possible that some do not exist, and since the causes are only possible then the things themselves are also only possible.

Again, many things are dependent on the human will, and it seems that man is master of himself, he can will them or not. Further, in the *Physics* of Aristotle, there is a classification of events, and in it are included such things as happen by chance and by accident. If there is no existence of the possible, how can we speak of chance and accident? Finally, if the possible does not exist, wherefore all the endeavour and diligence that man displays in his daily occupations, of what avail all the preparations and studies and the expenditure of energy in seeking the right way to his welfare? All these things seem so natural and common to the human nature that a denial of the possible would contradict the fundamental principle of feeling and perception.²⁰¹

On the other side, there are many arguments against the existence of the possible. It was established in the *Physics* that all things which are corruptible come into existence only through four causes. It follows then that, since their immediate causes exist, they must exist by necessity. Again, when we say that a thing is possible of existence, we mean by it that it needs a cause to over-balance the non-existent element. The existence of any possible, then, is necessitated by a preceding cause, and this cause was necessitated by another one, and so on, until we arrive at the first cause. The possible, therefore, does not exist. The subject may be viewed yet from another aspect. It is accepted that whatever is being realized from the potential to the actual needs some external cause to produce it from the state of potentiality to actuality. It follows that, when the human will acts upon something, the will has changed its state from the

²⁰¹ *Or Adonai*, p. 45 b.

potential to the actual. The cause of this change must be external, such as the agreement between the desire and the imagination which is the cause of the will. It is evident, therefore, that when the particular agreement exists the will is necessitated, and if we go on searching we shall discover causes for the arrangement, and so further. On the other hand, we cannot assume that the mover of the will is the will itself; first, that would contradict the principle that a thing being realized from the potential to the actual needs an external cause; secondly, the will would require a preceding will as its cause, and so on to infinity.²⁰² Finally, the possible does not exist on religious ground, for it was accepted that God's science extends to particulars; and if events are possible it would contradict the concept of prescience, for we can hardly call it knowledge when the contrary to it may occur. It follows, then, that there exists a kind of necessity in the order of the world. These are the arguments *pro* and *contra*.²⁰³

Crescas, after reviewing these arguments, comes to the conclusion that the possible exists in some aspects and in some it does not exist. He is, however, more inclined to the deterministic side. He asserts that the possible exists only in regard to itself. In Spinozistic language it means that when attended to itself as an isolated phenomenon it is a possible event, but that when attended to its

²⁰² וכשנאמר בזה שמניע הרצון ההוא הוא הרצון לבד שהוא הפך החיוב הנח יתחייב מזה אחר מ"ב בטולים אם שיהיה הדבר מניע לעצמו והוא הפך ההקרמה המוסכם עליה ואם שיהיה לרצון רצון קודם יניעהו ויוציאהו מן הכת אל הפועל ולרצון הקודם רצון אחר קודם ויתחייב רצונים בב"ת, *Or Adonai*, p. 46a.

²⁰³ *Ibid.*, p. 47a-b.

causes and viewed in the long chain of causality the event is necessary. He proceeds then to refute the arguments produced on behalf of the possible, even in regard to its causes. The first argument saying that with some things it is possible that all their causes are found, and possible that some do not exist, is simply a *petitio principii*. It is just the possibility of their causes that we seek to establish. The second one that appeals to common sense and for which the fact is adduced that man wills one thing or another, partakes of the same defect, for the theory of necessity asserts that the will must have a cause, and it is one cause that makes him choose one way, and another cause that makes him choose another way, and yet will remains will without strict mechanism, for the will *per se* would probably choose either of the possibilities, but the cause pushes it in one direction; still the will itself does not feel any necessity. The other argument, appealing to everyday facts of endeavour and expenditure of energy, which testify to the existence of the possible, proves only the existence of the possible *per se*, but not in respect to the causes. Nay, even these very endeavours and exertions of energy are causes in the long chain of events that bring about the state of prosperity of the man who displays them; for the causes are not determined or fixed, but can be increased or diminished.²⁰⁴

Similarly, the theory of causal necessity does not find any objection from the religious point of view. The question of the superfluity of precepts and commandments if the events are necessitated, is answered in a manner

²⁰⁴ *Or Adonai*, pp. 47 b, 48 a. Crescas sums up his theory in the following words: ולזה הוא מבואר שאין בכל הטענות שמצד העיון שיחייב מציאות טבע האפשר אלא בבחינת עצמות הדברים הנמצאים ולא בבחינת סבות.

resembling the refutation of the last speculative argument. The precepts and commandments are causes in the long chain of events that lead up to a certain action.²⁰⁵ Reward and punishment, however, seem to form quite an obstacle to the theory, for is it reasonable to speak of being punished or rewarded when there is a kind of necessity pervading human action? Crescas nevertheless is not dismayed, and advances a peculiar hypothesis (we shall find its counterpart in Spinoza): If we look upon reward and punishment as the effects of observing the precepts and their transgressions there is no injustice, just as there is no injustice in the fact that a man is scorched on touching fire, even when that touching is accomplished without any wilful inclination. In short, there is a strict cause and effect necessity which brings about that punishment should follow from one or reward from the other with the same force as any natural phenomenon follows from its cause.²⁰⁶

The view of Crescas on the question of determinism and free will is already apparent though presented in an indirect way. To sum up, events are possible *per se* but necessary through their causes, and the one does not conflict with the other. The potentiality of the primal matter, according to the Aristotelian conception, serves

אבל אם הדברים אפשריים ומחויבים בבחינת סבותיהם לא יהיו ²⁰⁵ המצות והאזהרות לבטלה אבל לתכלית חשוב וזה כי יהיו סבות מניעות לדברים אשר הם אפשריים בעצמם במדרגת הסבות *Ibid.*

ואמנם כשנתבונן בה אין התרה ממה שיקשה וזה שאם היו הגמול ²⁰⁶ והעונש מתחייבים מהעבודיות והעבדות (העבדות perhaps) התחייב המסובבים מן הסבות הנה לא יאמר בהם היותם עול כמי שאיננו עול הקרבות אל and further in the page האש שישרף ואם היתה קרבתו בזולת רצון, ולא ירגישו שהעניי נמשך מהעברו כהמשך המסובב מן הסבה *Or Adonai*, p. 48 a.

as an excellent example for Crescas. Matter is potential in assuming various forms in succession, but, in regard to the causes of each form being realized, that form is necessary especially after it was realized. Similarly, in human actions, each action *per se* might have occurred or not, but in regard to the causes that brought about its occurrence it is necessary. However, the publication of such a theory would be a rather dangerous weapon in the hands of the wicked who could not see the necessary consequences entailed by the evil acts. God, therefore, revealed His precepts and prohibitions in order that they should become causes and directors of human actions towards the way leading to human happiness. The foundation of free will (for this is not denied entirely), according to Crescas, lies in the fact that man is ignorant of the real situation or at least does not feel the force of the causal chain. It is because of this that the human will and determination become a factor in the long causal nexus. On the other hand, when man is self-conscious that he has done a certain act against his will, such as when a man is compelled by external forces to commit a certain crime, it follows that no punishment should be meted out to him, at least by legislators, for the self-consciousness of freedom which is a factor in the action, was absent.²⁰⁷ A similar theory of freedom as relating to human consciousness is advanced by Kant.²⁰⁸

As for the relation of future events to prescience, we must admit, says Crescas, that events are not possible in regard to their being known beforehand but in regard to themselves. The science of God is beyond time, His

²⁰⁷ *Or Adonai*, p. 48 a-b.

²⁰⁸ *Metaphysical Foundations of Ethics*, p. 67 and note *ad locum*.

knowledge of the future is like His knowledge of things existing which does not impart an essential necessity to them, for there is still some room for the possible in so far as endeavours and attempts are factors in the decision. But that does not affect the knowledge of God, for in whichever way the event may result He would have known it beforehand.²⁰⁹ We have seen above that this same remark of God's science being above time was as well as the last assertions already advanced by Saadia. The originality in Crescas consists in his conception of the nature of events, and in admitting only a partial kind of freedom, an anticipation which was followed by great philosophers.

Spinoza's view on the question of determinism resembles that of Crescas in a good many ways, especially in its first stage, for in his view there is to be noticed a kind of gradation which is apparent when we compare his earlier writings, the *Cogitata Metaphysica*, with his *Ethics*. Spinoza, more than Crescas, must, by the virtue of his whole system, viewing things in a strictly causalistic chain, be a determinist, yet in his early work he attempts a reconciliation between necessity and liberty which looks almost Crescasian, even in language. In *Cogitata Metaphysica* he says:²¹⁰ 'If we attend to our nature, we are free in our actions and deliberate about many things for the sole reason because we wish to. On the other hand, if we attend to the Divine nature we perceive clearly and

²⁰⁹ *Or Adonai*, p. 48 b.

²¹⁰ *Cogitata Metaph.*, Pars I, ch. 3 'Si ad nostram naturam attendamus, nos in nostris actionibus esse liberos, et de multis deliberare propter id solum quod volumus, si etiam ad dei naturam attendamus ut modo ostendimus clare et distincte percipimus, omnia ab ipso pendere, nihilque existere nisi quod ab aeterno a Deo decretum est ut existat.'

distinctly that everything depends upon Him, and nothing exists except that which was eternally decreed by God that it should exist'. He expresses, however, his ignorance to conceive how both necessity and liberty are compatible, and simply says that there are many things that escape human comprehension. Again, in the same work in the second part, Spinoza asserts once more the liberty of man, in spite of his taking cognizance of the causal force which impels the mind to affirm or negate.²¹¹ He does not explain how the thing is accomplished, but in a previous section Spinoza again declares his ignorance.²¹² We see, therefore, that Spinoza grapples with the problem in the same manner as Crescas does, and like him assumes that actions are possible *per se*, and necessary through the causal chain. But we must admit that Spinoza does not carry that principle out with the same consistency as Crescas, and later abandons human freedom entirely, and then again speaks in its name trying to save it at least in a shadowy form.

Fischer insists that even in *Cogitata Metaphysica* Spinoza is already an avowed and thorough determinist, and construes his confession of ignorance in respect to the way human liberty exists in spite of necessity to mean that we conceive that human liberty does not exist.²¹³ He quotes a number of passages to substantiate his view, but in reality these passages do not add more to what is said in the passage quoted where Spinoza makes his confession. All that they show is that Spinoza recognizes the chain of necessity, and that man is a part of nature, but this is also contained in the passage quoted above. On the

²¹¹ *Cogitata Metaph.*, Pars II, ch. 12, p. 503.

²¹² *Ibid.*, ch. 11, p. 500.

²¹³ *Spinoza*, p. 308.

other hand, Fischer fails to explain a fact which decidedly shows that there are two stages in Spinoza's conception of freedom. This is the famous example of Buridan's ass. In his earlier work (*Cogitata Metaphysica*) Spinoza asserts that were a man placed in such an equilibrium of forces to die of hunger, he would not be considered a man but the most stupid donkey.²¹⁴ On the other hand, in the *Ethics*, the same example is quoted, and Spinoza remarks: 'I am quite ready to admit that a man placed in the equilibrium described would die of hunger and thirst. If I am asked whether such a one should not rather be considered an ass than a man, I answer that I do not know'.²¹⁵ *Ethics*, scholium to proposition XLIX. Spinoza agrees with Crescas in the theological question of punishment. The wicked, he says, are punished by a decree of God, and if you ask why they should be punished since they are acting from their own nature, we may reply. Why should poisonous snakes be exterminated?²¹⁶ In his letter to Oldenburg,²¹⁷ a more striking example is given: 'He who goes mad from the bite of a dog is excusable, yet he is rightly suffocated.' This is exactly the same as the saying by Crescas that whoever touches fire must be burned.

²¹⁴ *Cogitata Metaph.*, Pars II, ch. 11 'Quod autem anima tantem potentiam habeat quamvis a nullis rebus externis determinetur commodissime explicari potest exemplo asinae Buridiani. Si enim hominem loco asinae ponamus in tali aequilibrio positum, homo non pro re cogitante sed pro turpissimo asino erit habendus, si fame et site pereat'.

²¹⁵ *Ethics*, scholium to Proposition XLIX.

²¹⁶ *Cogitata Metaph.*, Pars II, ch. 8 'At respondeo etiam ex decreto divino esse ut puniatur et si tantum illi quos non nisi ex libertate fingimus peccare essent puniendi, cur homines serpentes venenosos exterminare conantur, ex atura enim propria tantum peccant nec aliud possunt'.

²¹⁷ *Epist.* XLI.

In the *Ethics*, Spinoza becomes an absolute determinist. Man is viewed as a part of nature subject to its laws and regulations,²¹⁸ and free will is openly denied. 'The mind is determined to wish this or that by a cause which has also been determined by another cause, and so on to infinity'.²¹⁹ Yet in spite of all this, Spinoza does not want to give up freedom, and tries to maintain it by all means. The way Spinoza reaches freedom, though different from that of Crescas who makes man's consciousness of freedom a factor in determining human action (a way which was followed by Kant, as indicated above), yet retains the basic Crescasian principle, namely, that human endeavour is a cause in the determination of human act. Spinoza arrives at the conception of freedom mainly through his principle of self-preservation. Everything in so far as it is itself endeavours to persist in its own being, says Spinoza,²²⁰ but the principle itself would not be fruitful unless we emphasize the 'own', namely, the principle of individuality. It is true that man is a part of nature, but a higher part or at least a different part than that of the animal, and as such his essence or his nature must be different in degree from that of the animal or the stone. The persistence of man in his own being will also be different from the persistence of the animal, and this is to be called virtue according to the definition: 'Virtue in so far as it is referred to man is a man's nature or essence, in so far as it has the power of effecting what can only be understood by the laws of that nature.'²²¹ 'This effort for self-preservation is nothing else but the essence of the thing in question', writes Spinoza, 'which in so far as it exists such as it is,

²¹⁸ *Ethics*, IV, p. 4.

²¹⁹ *Ibid.*, II, 48.

²²⁰ *Ibid.*, III, 1.

²²¹ Def. VIII, Book III.

is conceived to have force for continuing in existence.'²²² It is clear from the foregoing that man does possess a kind of determination and is not merely mechanically acted upon. The idea of self-preservation carries in itself already the conception of a struggle, there is something external which tends to destroy the individual or to pervert it from developing according to its own laws; it is against this external force that the power of self-preservation battles. This is well recognized by Spinoza when he says: 'The force whereby a man persists in existing is limited, and is infinitely surpassed by the power of external causes.'²²³ The term 'infinitely' may probably refer to physical existence, but not to existence according to its own laws, for otherwise it is impossible to conceive how man can ever become free even in the Spinozistic fashion. Hence follows the bondage of man, which means his subjection to emotions and passions the causes of which are external, and do not follow from the laws of his nature.

Where then is the way to freedom? This consists simply in positing against a lower emotion which intends to enslave the activities of man²²⁴ another one, for an emotion can only be controlled or destroyed by another one contrary thereto and with more power.²²⁵ It is here that knowledge comes in as a potent factor, for by means of it man can discern what is useful to him, and so perceive his own being.²²⁶ Ascending in the scale of knowledge, we find that the highest point is to know God, which in other words means to know true nature and its unfoldings, man's own powers included. It follows then that when man reaches that state or is on the path to it that he is

²²² *Ethics*, IV, 26, demon.

²²³ *Ibid.*, III.

²²⁴ *Ibid.*, IV, 5.

²²⁵ *Ibid.*, 6.

²²⁶ *Ibid.*, 20.

said to be free, for viewing things under the species of reason,²²⁷ he must necessarily follow the laws of his own nature and avoid things which tend to sway him from that or subject him to bondage. Spinoza goes on to show in detail the way man frees himself; and his ethical conception is evolved through that notion of freedom. But that does not concern us here. What we wish to show is the generation of that freedom, and what it is. To sum up, Spinoza's freedom is not a free-willist's freedom, but a reasonable intrinsic necessity, subject to immutable laws, as against a slavish irrational necessity subject to external causes the results of which tend toward destruction. This human freedom corresponds exactly to that Divine freedom of which Spinoza speaks in his first book, where the main element consists in the absence of external forces coercing it. What interests us mainly in the theory is the recognition of the struggle, and the consideration of the human power as a factor in bringing about the result, the same steps which were taken by Crescas to liberate man and restore to him a part of his lost freedom.

As regards the question of evil, Spinoza gives on that point a clear and more comprehensive explanation than that of Crescas. His view is analogous to that of the Peripatetics who saw in evil a kind of imperfection which cannot be attributed to God but to matter. Spinoza denies entirely the positive existence of evil and error;²²⁸ for in so far as any act of evil expresses reality it is not evil, the badness of it comes only in comparison with another act of more perfection;²²⁹ and so the whole conception of it is only human.²³⁰

²²⁷ *Ethics*, IV, 67.

²²⁹ *Epist.* XIX.

²²⁸ *Epist.* XXIII, ed. Vloten.

²³⁰ *Cogitata Metaph.*, II, ch. 8.

To return to Crescas, he feels that the question of conciliating Divine justice with that of necessity ought to be discussed more thoroughly. He endeavoured to establish the difference between necessity without man being conscious of it, and that where the subject is conscious. It seems, nevertheless, that since reward and punishment are evolved from good and bad acts as effects from causes, there is really no reason for this distinction, for the cause is a cause just the same whether accompanied by consciousness or not. But then the whole foundation of punishment, whether Divine or human, is undermined, for both assume this distinction as their basis.²³¹ Another difficulty is raised by the question of dogmas. Religion requires its adherents to believe in certain dogmas, but what connexion has will with dogma? Crescas produces three arguments against the possibility that will may be a necessary element in belief. First, if will is pre-requisite to belief, then belief does not possess that kind of truth which it claims to possess, for the nature of will carries the possible with it, either man wills to believe or not, and he may also will contrarily in succession; where then is the truth? Secondly, belief implies that a certain thing exists outside of the mind as well as in the mind, and if so what dependence can it have on the will, especially if a certain kind of dogma is necessitated by proofs? It is impossible not to believe it. What foundations have, then, the punitive measures attached to dogmas?²³²

In answer to these questions, Crescas reiterates his doctrine that God's precepts act as causes in determining human actions. Divine righteousness aims at the good

²³¹ *Or Adonai*, p. 49 b.

²³² *Ibid.*

and the perfection of man. The precepts are instituted by God as incitements for good actions, and the rewards and punishments really are evolved from them as effects from causes. But as for the question, why is consciousness necessary in order to receive reward or punishment for the committing of a certain act, it will be answered if we look upon actions in the light of their intensity. The most important ethical quality in doing good is the joy and intensity of pleasure experienced while carrying out the will to do good. God possesses absolute love and intensity of doing good; the human intensity would therefore form a link in the human relation to God. It is evident, therefore, that when this will and intensity are absent, such as when things are committed from conscious necessity, the actions do not entail either reward when they are good or punishment when wrong; for there is also a kind of intensity in doing evil as it is the love and intensity that form important ingredients in the causing of reward and punishment.²³³

In the same light we may solve the question of dogmas. It is true that essentially dogmas are not related to will, but they may be connected in some way. It is not the belief in the dogmas that counts, but the intensity and pleasure which a religious man feels at the believing, or in the endeavour to follow up to the root of the matter. This intensity and pleasure is a matter of will and choice, for a thing may be true and man may conceive it as such

ואמנם ההבדל אשר בין החיוב בזולת הרגש אינם והכרח ובין החיוב²³³ אשר בהרגש באונם והכרח הנה הוא הראוי וזה ישכבר יתבאר . . . במקומות מתחלפים שהתכלי הנכסף בעבודות ופעולות הטוב הוא החשק והשמחה בהם שאיננו דבר זולת ערבות הרצון לפעול הטוב ולזה היה ראוי שימשך מומנו הנמול והעונש כהמשך המסוכב מן הסבה

Or Adonai, p. 47 b.

without experiencing any particular emotion. as, for instance, the fact that the three angles of a triangle are equal to two right angles; but the knowledge of certain dogmas may be accompanied by the emotion if there is the corresponding exertion. It is from this point of view that reward and punishment are attached to dogmas.²³⁴

²³⁴ *Ibid.*, p. 50 a.

(To be continued.)

MEGILLAT TAANIT AS A SOURCE FOR JEWISH CHRONOLOGY AND HISTORY IN THE HELLENISTIC AND ROMAN PERIODS

BY SOLOMON ZEITLIN, Dropsie College.

CHAPTER IV

CONTENTS AND CHARACTERISTICS OF MACCABEES I AND 2.

BESIDES the seeming chronological differences between 1 and 2 Maccabees which we have reconciled above there exist also chronographical divergences between the two books which have to be cleared up before the data in the Megillat Taanit, which refer to Maccabean events, can be properly fixed and dated. The following outline will reveal the crucial points of difference between the two books. 2 Maccabees generally narrates events undated, and we place them parallel to the column where they are described with dates in 1 Maccabees.

1 Maccabees.

2 Maccabees.

A. S.

143 Antiochus on his return
from Egypt captures Je-
rusalem (1. 20-24).

145 (Two years later) he again
captures and kills many
Jews (1. 29-35). On 15th
of Kislev he builds next
to the altar 'the abomi-
nation of desolation'. On

Antiochus in his second
march from Egypt cap-
tures Jerusalem, takes
silver from the Sanctuary
(5. 1-27); soon after,
he orders the statue of

- the 25th day they sacrifice offerings on the newly-built altar (1. 59). Zeus to be set up (6. 1-3).
- 146 Mattathias dies (2. 70). Judas's victories over Apollonius and Seron (3. 10-25).
- 147 Antiochus crosses the Euphrates on his way to Persia (3. 37). Before setting out for Persia he orders Lysias to make a campaign against Judas (3. 32-5). Lysias delegates Ptolemy, Nicanor, and Gorgias to conduct the campaign against Judas (3. 38). Judas's victories over them (4. 14-25). Judas's victories over Nicanor and Gorgias. Judas comes to Jerusalem (8. 8-31).
- Antiochus IV dies (9. 1-28).
- 148 In the next year Lysias marches to the south of Judea (4. 28). The Jews cleanse the Temple and sacrifice on the altar (10. 1-5). Antiochus V becomes king (10. 9, 11). Wars of Jews with neighbouring nations (5. 1-8). Wars of Jews with neighbouring countries (10. 15).

149 Antiochus IV dies (6. 1-16). Accession of Antiochus Eupator (6. 17).

Judas attacks the citadel of Jerusalem (6. 18-19).

Lysias's expedition and treaty (11). Lysias and Antiochus send letters of peace to the Jews (17-38). More about wars with neighbouring nations (12. 1-45).

150 Lysias's second expedition; peace with Jews (6. 28-54).

149 Second expedition of Lysias and Antiochus V; peace made with Jews (13. 1-26).

151 Accession of Demetrius I (7. 1-4). Alcimus becomes high-priest (7. 15-22). Nicanor is killed, 13th Adar (7. 1-50).

Accession of Demetrius I (14. 1-2). Alcimus becomes high-priest (14. 3). Nicanor is killed, 13th Adar (15. 28-36).

As may be seen from this list, there exists not only a chronological discrepancy between these two books, but also differences with regard to the events themselves. Thus, according to 1 Maccabees, the purifying of the sanctuary took place before the death of Antiochus IV, while according to 2 Maccabees it took place after his death. According to 1 Maccabees, furthermore, Lysias's expedition followed in the second year after the victory of Judas over Nicanor and Gorgias, while according to 2 Maccabees it took place after the purification of the

Temple in the days of Antiochus V. It should also be noted that in 2 Maccabees reference is made to letters which Antiochus sent to the Jews, which find no mention in 1 Maccabees. Nevertheless, it seems to me that not only are the seeming chronological contradictions reconcilable according to the theory explained above, but these differences in narration too may be satisfactorily explained. As will be shown presently, the two accounts often supplement each other, since they are based on independent sources, and the apparent differences in the two narratives are due to the loose composition of 2 Maccabees, where a number of passages have been dislocated. In the following outline I shall reconstruct the historical order of the events narrated in Maccabees which will also make clear the relation between the two sources.

We know from 1 Macc. (1. 20-4) that in the year 143 A.S. (171-170 B.C.E.) Antiochus returned from his war with Egypt, and captured Jerusalem. This took place about the close of the summer 170 B.C.E.⁷³ According to the same source, Jerusalem was again captured by the forces of Antiochus IV two years later (1. 29). It is this event and not the first capture of Jerusalem with which 2 Maccabees opens. Thus the capture of Jerusalem in this source is properly connected with Antiochus's return from the second war with Egypt which took place 169-168,⁷⁴ and therefore

⁷³ Clinton, *Fasti Hellenici*, III, pp. 318-20. For renewal of the war between Antiochus IV and the Egyptians in the year 171/70 see Hitzig, *Das Buch Daniel*, p. 205; Wilcken in Pauly-Wissowa's *Real-Enc.*, II, 2470-6. See above, note 34.

⁷⁴ Antiochus IV was in Egypt in 169 (see above, note 35); comp. Polyb., XXVIII, 17 and XXIX, 23-6; Niese, *Geschichte*, III, pp. 174, 230-1, and 'Die beiden Makkabäerbücher', *Hermes*, XXV (1900), pp. 502-5; Bevan, *The House of Seleucus*, II, p. 172; G. A. Smith, *Jerusalem*, II, 1908. See above, note 35.

corresponds correctly with the date assigned for the second capture of Jerusalem in 1 Maccabees, 145 A.S. Following 1 Maccabees we learn that the erection of the statue of Zeus in the Temple was carried out in Kislev 145 A.S. This date is inherently impossible, because, according to the same source, the capture of Jerusalem took place in the summer of 145 A.S.—168 B.C.E. Consequently the erection of the statue of Zeus in Kislev must refer to Kislev 146 in the autumn of the 168 B.C.E. This emendation is corroborated by 2 Maccabees, where it is stated clearly that some time elapsed between the capture of Jerusalem and the placing of Zeus in the Temple (*μετ' οὐ πολὺν χρόνον*).⁷⁵

⁷⁵ We are quite safe in emending 145–146. The error crept in through the fact that earlier in the chapter it is stated that after two years, i.e. two years after 143, Antiochus came and captured Jerusalem. This was in the year 145, being, as we said above, in the summer of 168 B.C. Now some scribe thought that the setting up of the image next to the altar belonged to the two years whereof the author of 1 Maccabees speaks. Consequently it must have been in the year 145. But according to 2 Maccabees, there elapsed considerable time between Antiochus's capture of Jerusalem and his edict to set up the statue of Zeus in the Temple, *μετ' οὐ πολὺν χρόνον*. (According to 2 Maccabees it was Apollyon who set up the image. See Niese, *Geschichte*, III, p. 233 and note), and this should be three years before the cleansing of the Temple, so that the cleansing of the Temple took place in the month of Kislev, 165, and therefore the setting up of the image took place in Kislev, 168, which is the earlier part of 146 A.S. This number 145 does not belong here at all; it fits in the verse 29, where we read 'two years later', i.e. 145. In this passage disorder prevails, for whereas our text has 'on the fifteenth of Kislev', the Syriac version of Maccabees in Codex Ambrosianus reads 'on the twenty-fifth of Kislev', which is certainly correct. Furthermore, the number 145 is represented in the Codex Alexandrinus by 45. All this goes to show that the scribe was confused, and that the passage cannot be accepted in its present state, but it is necessary to consider carefully its chronologic aspects and revise it. It is interesting to note that Kautzsch (*Apokrypha*, 1 Mak. 1. 54) puts the number 145 in parenthesis: apparently he is not convinced that it belonged to this verse.

In the narrative of 1 Maccabees the revolt of Mattathias is now described, and his death is dated 146 (168-167 B.C.E.). The victory of Judas over Apollonius and Seron follows; and Antiochus IV, who heard of the defeat of his generals, would have liked in person to proceed to Judea and to humble Judas, but he needed money, and on that account went to Persia with half of his army—the other half being committed to Lysias with the command to quell the insurrection in Judea. Antiochus crossed the Euphrates in 147 (167-166) (3. 37). Lysias, however, did not go in person to fight Judas, but sent Nicanor and Gorgias—evidently in the same year, 147. 2 Maccabees now joins 1 Maccabees in describing Judas's great victory over these generals, though the two accounts show slight variants.

Following again 1 Maccabees we note that in the second year after the expedition of Nicanor and Gorgias Lysias went in person to fight Judas *καὶ ἐν τῷ ἐχομένῳ ἐνιαυτῷ*, i. e. in the year 148 (166-165). Judas defeats Lysias, enters Jerusalem, and cleanses the Sanctuary in 148 (166-165). There follows a series of wars between the neighbouring nations and finally the death of Antiochus in the year 149 (165-164).

In 2 Maccabees the same events are narrated in a different order. Immediately after Judas's victory over Nicanor follows the account of his wars with the neighbouring nations and the death of Antiochus IV, and then comes the cleansing of the Temple by Judas, the succession of Antiochus Eupator to the throne, more wars with the neighbouring nations, and then finally Lysias's expedition and peace.

This order is incompatible with the same author's account of the historical events to the extent that we are forced to assume that we face here a peculiar dislocation

of parts of the narrative, which may be attributed to the loose manner in which the author condensed the fuller account of Jason of Cyrene. Thus it is obvious that the expedition of Lysias could not have been delayed until after the death of Antiochus IV and after the purification of the Temple and the succession of Antiochus V. According to what we have seen above, Antiochus IV at the very time that he proceeded in person to Persia in 167-166 ordered Lysias to take measures to suppress the revolt in Judea. In accordance with these instructions Lysias, as we have seen, deputed Nicanor and Gorgias, who were repulsed by Judas evidently in the same year 166. Now it is certainly inconceivable that Lysias would delay all efforts to suppress the revolt for an interval of two years, which is implied in the present account of Maccabees, and meanwhile give the Judeans the opportunity to unite their forces, and fortify themselves more strongly against Syria. Furthermore, if this expedition belonged to the period of Antiochus Eupator, it would be strange that the author fails to mention the name of Antiochus Eupator in this connexion, as he does in recording the second campaign.⁷⁶ The reference to Lysias as being in sole control of his expedition can be only explained by assuming that it took place in the reign of Antiochus IV, while the latter was in Persia.⁷⁷

Finally, and this is most conclusive, the letter of Antiochus V to Lysias ordering him to arrange for peace with Judas announces the recent death of his father Antio-

⁷⁶ Μετ' ὀλίγον δὲ παντελῶς χρονίσκον Λύσιας ἐπίτροπος τοῦ βασιλέως καὶ συγγενῆς καὶ ἐπὶ τῶν πραγμάτων (2 Macc. 11. 1).

⁷⁷ Bevan, *The House of Seleucus*, pp. 178-80 and Appendix J. See also Niese, *Geschichte*, III, p. 219.

chus IV. Furthermore, the preceding letter containing the peace negotiations between Judas and Lysias is definitely dated 148.⁷⁸ Consequently the beginning of the expedition took place in the lifetime of Antiochus IV, according to the very account of 2 Maccabees, while the purification of the Temple and the establishment of peace took place early in the reign of Antiochus V. Undoubtedly Jason's history, which was the source of 2 Maccabees, properly fixed the beginning of Lysias's expedition in the reign of Antiochus IV, and the end in that of Antiochus V. The author of 2 Maccabees, copying the account, misplaced the beginning of the expedition in the reign of Antiochus V, where he really found the end of the expedition recorded.

Thus reconstructed, the account of 2 Maccabees corrects the narrative of 1 Maccabees. For according to the latter, the purification of the Temple took place before the death of Antiochus IV. This is impossible, however, because Antiochus IV died early in the autumn of 165,⁷⁹ whereas the cleansing of the Temple did not take place till Kislev 165. In this respect therefore the account of 2 Maccabees is superior to that of 1 Maccabees. This is to be explained by the sources which were used by the two authors. The former was based presumably on the accurate account of Jason; while the latter was written in Palestine where,

⁷⁸ With regard to the letters sent by Antiochus V to the Jews, and also with regard to the embassies sent by Rome to the Jews, see Niese, *Hermes*, pp. 476-90. The first letter is dated 148 A.S. (165/4), and in the month of Dioscorus, on the twenty-fourth thereof. The month Dioscorus is not known to us. Many scholars think this is a Syro-Macedonian month, Dius, and this about corresponds with the Jewish month Heshvan. The Peshitta has, in the place of Dioscorus, 'the Second Tishri', the Second Tishri of the Syrians. See also Clinton, *Fasti Hellenici*, III, Appendix 4.

⁷⁹ Niese, *l.c.*, pp. 473-6; Bevan, *l.c.*, p. 180 and Appendix J. See above, p. 83 and note 32.

owing to the state of siege, the Jews may not have known of the death of Antiochus IV until after peace was made with Lysias and the Temple had been purified, and this impression is reproduced in 1 Maccabees.⁸⁰

The statement that the purification of the Temple occurred in Kislev 165 seems to be in contradiction to the date of 1 Maccabees according to my theory of this author's reckoning of the Seleucid era. For the date which is assigned for this event in 1 Maccabees is Kislev 148, which according to our calculation corresponds to Kislev 166 B. C. E. But this could not be correct, as Kislev of the year 148 (Sel.) fell in 166 B. C. E. and not in 165 B. C. E. However, it may be safely assumed that the number 148 crept in through error, and is to be emended into 149. Thus the Peshitta Codex Ambrosianus (ed. Ceriani) reads plainly ܠܬܪܥܝܢ ܠܬܪܥܝܢ ܠܬܪܥܝܢ ܠܬܪܥܝܢ, the year one hundred and forty-nine. The error is easily explained on the ground that the scribe calculated the three years which, according to the plain statement of 1 Maccabees, elapsed between the defiling and the rededication of the altar on the basis of what we proved to be the false reading 145 A. S., and naturally attained the result 148.⁸¹

⁸⁰ It is quite possible that the death of Antiochus IV, and the purification of the Temple took place at the same time in the fall of 165 B. C. E.

⁸¹ See above, p. 53, and n. 75. According to 1 Macc. (1. 54) three years elapsed between the defiling and the rededication of the Altar. This is also stated by Josephus, *Ant.* XII, 7. 6, but according to *Bel. Ind.* I, 4 and V, 9. 4, three years and six months passed. The two statements, however, are in agreement; the three years and six months are not from the time of the defiling but from the time when Antiochus captured Jerusalem and desolated the sanctuary in the year of 145 A. S., i. e. in the summer of 168 B. C. (see above, p. 53). Until the rededication of the Temple there was a period of three years and six months. These two statements are fully in agreement, Niese and Reinach notwithstanding.

Attention may here be called to the passage in Josephus (*Ant.*, XII, 7. 6) where the purification and dedication of the Temple is dated 148 A.S., and in addition the Olympiad date 154 is also given. As 154 Olymp. corresponds to July 164–July 160, the dedication of the Temple could not have taken place in Kislev of any other year than 164, which contradicts not only our established date of 165, but is opposed to his own date of 148 A.S. As a result, scholars have not hesitated to emend the reading of 154 Olymp. to 153–4 Olymp.,⁸² while others place the event of Hanukkah in Kislev 164.⁸³

We need not follow, however, either of these two strained conclusions. As Unger⁸⁴ has proved conclusively, there existed two systems of the Olympiad calendar, the Attic and the Macedonian respectively. The former was the original Olympiad calendar, 154 Olymp., corresponding to July 164–July 160. The Macedonian Olympiad calendar, on the other hand, is a modified form of the original Olympiad calendar which was adopted in the Macedonian period, and was adopted by them in accordance with their established system of dating the new year. These peoples being accustomed to date the beginning of their year in the autumn, that is, in the month of Dios (November), they also fixed the new year of their adopted Olympiad calendar according to their traditional custom. Local divergences then ensued. In some localities, the beginning of year I Olymp. was shifted back from July 776 to the autumn 777. This record is pre-

See Niese, *Zur Chronologie des Josephus*, p. 225; see also Wieseler, *Chronologische Synopse*, p. 50, n. 2.

⁸² Reinach, *Œuvres complètes de Flavius Josèphe*, *Ant.*, XII, 4. 6, p. 109, n. 2. See also Niese, *Zur Chronologie des Josephus*, pp. 224–5.

⁸³ See Bevan, *l. c.*, Appendix J.

⁸⁴ Unger, *Die Seleukidenära der Makkabäerbücher*, chap. V, p. 300.

served in Polybius, as Nissen has already shown.⁸⁵ On the other hand, records of Castor, Phlegon, Julius, Africanus, Porphyrius,⁸⁶ and possibly Eusebius,⁸⁷ show that numerous localities dated October 776 as marking the beginning of year 2 of I Olymp., the fraction of the preceding Olympiad year being reckoned as a full year. (Compare above the similar method which was applied by the Jews to the Seleucid era. In this system therefore 154 Olymp. covers the years October 165–October 161, and the date given by Josephus in this connexion—Olymp. 154–1—really corresponds to Kislev 165 B.C.E. That Josephus was acquainted with this form of the Macedonian-Olympian calendar is clearly shown in his citation of Castor in *Contra Apionem* (I, 22) to the effect that the battle of Gaza was fought in the eleventh year after the death of Alexander, and in 117 Olympiad. Now the eleventh year after the death of Alexander is at the latest June 312 B.C.E.⁸⁸, whereas 117 Olympiad Attic only began July 312! Consequently it must be assumed that in this Olympiad the autumn of 776 marked the beginning of year 2, in which the Olymp. of 117 began in the autumn of 313 B.C.E.

It should be added that in the *Antiquities* Josephus uses the Olympiad nine times, but, owing to the composite nature of his sources, it becomes necessary to identify the calendar in each reference.⁸⁹

⁸⁵ Nissen H., *Rhein. Museum*, 1871, p. 242.

⁸⁶ Unger, *l. c.*

⁸⁷ See Unger, *l. c.*; see also Droysen, *Geschichte des Hellenismus*, III, Beilage II.

⁸⁸ Alexander died May–June 323 B.C.E. Plutarch, *Alexander*, 76; Clinton, *F. H.*, Oxford, II, pp. 176–8. See above.

⁸⁹ (1) *Ant.*, XII, 5, 4; (2) XII, 7, 6; (3) XIII, 8, 2; (4) XIV, 1, 2; (5) XIV, 4, 3; (6) XIV, 14, 5; (7) XIV, 16, 4; (8) XV, 5, 1; (9)

We may now complete our reconstruction of the events occurring in Maccabees and bearing on the Megillat Taanit, as outlined in the diagram. That the peace between the Syrians and the Judeans did not last long is stated in both Maccabean Books. This time Lysias marched with Antiochus Eupator against Judas, in what is described 1 Macc. (6. 53) as a sabbatical year, i. e. from Tishri 164 to Tishri 163 (see above; see also No. 8). According to both books peace was established in the same year, but this peace was premature, and war broke out again after the accession of Demetrius in 151 A. S. (163-162 B. C. E.). Nicanor was entrusted with the expedition against Judas, and he met his death on 13th Adar. The year of his death is not recorded in either book, but indirectly we may safely infer that it was the year 152 A. S. or 161 B. C. E., as Demetrius received the news of this defeat in the first month (Nisan) of 152 A. S., 161 B. C. E.⁹⁰

XVI, 5. 1. Comp. S. Zeitlin, *When did Jerusalem surrender to Antiochus Sidetes?* Publications of the American Jewish Historical Society, vol. XXVI, 1918, pp. 165-71.

⁹⁰ See above, note 27.

CHAPTER V

THE CALENDAR SYSTEM IN *BELLUM IUDAICUM*.

AS in the Maccabees so in the works of Josephus the fundamental problem is to determine the chronology and calendar which Josephus employed in his narratives. We are confronted with the much discussed problem⁹¹ whether in *Bellum Iudaicum* the Syrian names of the months are used to represent the Jewish months, Xanthicus approximately for Nisan, Artemisius for Iyyar, &c., or whether they represent the Julian (Solar) calendar proper, in which case Xanthicus corresponds to April, Artemisius is May, &c.

The following is an outline of the dated events in *Bell. Iud.*⁹²

(1) The war began in the twelfth year of the reign of Nero, and the seventeenth of the reign of Agrippa, in the month Artemisius (II, 14. 4).

(2) On the sixteenth day of the month Artemisius and on the next day riots broke out in Jerusalem (II, 15. 2).

(3) On the fifteenth of the month of Lous an assault was made upon Antonia and the garrison was besieged (II, 17. 7).

⁹¹ See Ideler, *Handbuch der Chronologie*, I, 400-2; Wieseler, *Chronol. Synopse*, p. 448; Unger, 'Die Tagdata des Josephus' (*Sitzungsberichte der Münchener Akademie, philos.-philol. u. hist. Cl.*, 1893 B., II, pp. 453-92); Schürer, *Geschichte*, I, pp. 755-60.

⁹² This outline was given by Hoffmann, *De imperatoris Titi temporibus recte definiendis*, Marburg, 1883, and by Niese, *Hermes*, 1893, pp. 197-9.

(4) On the sixth day of the month Gorpiaeus the king's palaces were captured (II, 17. 8).

(5) On the thirtieth day of the month Hyperberetaeus Cestius made an assault upon Jerusalem (II, 19. 4).

(6) On the eighth day of the month of Dios, in the twelfth year of the reign of Nero, the defeat of Cestius took place (II, 19. 9).

(7) On the twenty-first day of the month Artemisius, Josephus came from Tiberias, and went into Jotapata (III, 7. 3).

(8) On the twentieth day of the month Daesius, the first assault was made upon Jotapata (III, 7. 29).

(9) On the twenty-fifth day of the month Daesius Japha was captured (III, 7. 31).

(10) On the twenty-seventh day of the month Daesius Gerizim was captured (III, 7. 32).

(11) On the first day of the month Panemus, in the thirteenth year of the reign of Nero, Jotapata was taken by the Romans (III, 7. 36).

(12) On the fourth day of the month Panemus Vespasian returned to Ptolemais (III, 9. 1).

(13) On the eighth day of the month Gorpiaeus the prisoners of Tarichea were taken (III, 10. 10).

(14) On the twenty-second day of the month Hyperberetaeus Gamala fell before the Romans (IV, 1. 9).

(15) On the twenty-third day of the month Hyperberetaeus Gamala was taken, whereas the city had first revolted on the twenty-fourth day of the month Gorpiaeus (IV, 1. 10).

(16) On the fourth day of the month Dystrius Vespasian entered the city of Gadara (IV, 7. 3).

(17) On the second day of the month Daesius Vespasian pitched his camp by the city Coreai (IV, 8. 1).

(18) On the fifth day of the month Daesius Vespasian removed from Caesarea and marched against those places of Judea which had not yet been subdued (IV, 9. 9).

(19) In the month Xanthicus in the third year of the war Simon got possession of Jerusalem (IV, 9. 12).

(20) On the third day of the month Apellaeus Vitellius was killed (IV, 11. 4).

(21) On Passover, the fourteenth day of the month Xanthicus, John took possession of the Temple (V, 3. 1).

(22) On the seventh day of the month Artemisius the Romans took possession of the First Wall (V, 7. 2).

(23) On the twelfth day of the month Artemisius the Romans began to raise their earthworks against Antonia and the Temple (V, 11. 4).

(24) On the twenty-ninth day of the month Artemisius this was completed (*ibid.*).

(25) A vast number of dead bodies were carried out from one gate of Jerusalem from the fourteenth day of the month Xanthicus, to the first day of the month Panemus (V, 13. 7).

(26) On the first day of the month Panemus the Romans were attacked by the Jews (VI, 1. 3).

(27) On the third day of the month Panemus the Romans attempted to take possession of the tower of Antonia (VI, 1. 6).

(28) On the seventeenth day of the month Panemus the daily sacrifice (*ἐνδελεισμὸς*) failed (VI, 2. 1).

(29) On the twenty-fourth day of the month Panemus the Romans set fire to the Cloister (VI, 2. 9).

(30) On the twenty-seventh day of the month Panemus the Jews set all the Western Cloisters on fire (VI, 3. 1).

(31) On the eighth day of the month Lous the Romans had completed their earthworks (VI, 4. 1).

(32) On the tenth day of the month Lous the Temple was burned by the Romans (in the second year of the reign of Vespasian) (VI, 4. 5, 8).

(33) On the eighth day of the month Xanthicus, when the people were come to the feast of unleavened bread, signs appeared in Jerusalem. A great light shone round the altar (VI, 5. 3).

(34) On the twenty-first day of the month Artemisius, a few days after the feast, a prodigious and incredible phenomenon appeared (*ibid.*).

(35) On the twentieth day of the month Lous the raising of earthworks against the upper city was begun (VI, 8. 1).

(36) On the seventh day of the month Gorpiaeus the Romans brought their machines against the wall (VI, 8. 4).

(37) On the eighth day of the month Gorpiaeus, in the second year of the reign of Vespasian, Jerusalem was taken by the Romans (VI, 8. 5; 10. 1).

(38) On the fifteenth day of the month Xanthicus (in the fourth year of the reign of Vespasian) Masada was taken (VII, 7. 1; 9. 1).

Scaliger⁹³ and Usher⁹⁴ maintained that Josephus in his *Bell. Jud.* used the Roman, i.e. the Julian calendar, and that Xanthicus = April and Artemisius = May.⁹⁵ According to this opinion, Titus's burning of the Temple,

⁹³ Joseph Scaliger, *Opus de Emendatione temporum*, lib. I, Genevae, 1629.

⁹⁴ Usher, *Annales Veteris et Novi Testamenti*, 1654, vol. ii.

⁹⁵ See further Usher, *l. c.*, and Scaliger, *l. c.*

which Josephus tells us took place on the 10th of Lous, took place on the 10th of August. But since Noris⁹⁶ has shown that in the year 70 C.E. the 10th of Ab could not have fallen on the 10th of August, Clinton⁹⁷ and Ideler⁹⁸ inclined to the view that in *Bell. Ind.* Josephus makes use of the same calendar as in *Antiquities*, i.e. the Jewish Calendar, only substituting Syro-Macedonian names of the months for the Hebrew names, Xanthicus for Nisan, Artemisius for Iyyar, Daesius for Sivan, Lous for Ab, &c. They illustrate this method of translating the calendar from Josephus's fuller explanation in *Antiquities*, where he states that Passover was celebrated in Xanthicus, which the Jews call Nisan, and also with regard to Hanukkah, that they celebrate it in Apellaeus, which the Jews call Kislev.⁹⁹ Thus, too, when in *Bell. Ind.* Josephus states that Titus burned the Temple on the 10th of Lous, on the same month and day of the month whereon the first sanctuary had been destroyed by the Babylonians, it refers to the 10th of Ab and corresponds with the statement of Jeremiah that it took place on the 10th day of the fifth month, i.e. the 10th of Ab.¹⁰⁰ Another proof frequently quoted is Josephus's statement that the Wood-Festival was celebrated on the 14th day of Lous,¹⁰¹ which seems to harmonize with the Mishnah.¹⁰² The Wood-Festival is fixed on the 15th day of Ab. For though there is a difference of one day between Josephus and the Mishnah it is reconciled by assuming that part of the day before a Yom Tob

⁹⁶ Noris, *Annus et Epochae Syro-Macedonum*, p. 14, Lipsiae, 1696.

⁹⁷ H. Clinton, *Fasti Hellenici*, III, Appendix IV, Oxford, 1895.

⁹⁸ Ideler, *Handbuch*, *Ibid.*

⁹⁹ *Ant.* III, 10. 5; XII, 5. 4 and 7. 6.

¹⁰⁰ Jer. 52. 12.

¹⁰¹ *Bell. Ind.* II, 17. 6.

¹⁰² Mishnah, Taanit, IV, 5. 8.

partakes of the character of Yom Tob,¹⁰³ or by assuming a scribal error in Josephus, where 15 of Lous should be read instead of 14.¹⁰⁴ By similar lines of argument many scholars have supported the view that in *Bell. Ind.* Josephus used the Jewish calendar, merely substituting Syro-Macedonian names of months for the Jewish names.

This view was opposed by O. A. Hoffmann,¹⁰⁵ who maintained that except in a few cases where the interest is purely Jewish, the months are those of the solar year, since Josephus lived in the Roman environment and treated of these matters as part of Roman history. Hence the majority of the months in *Bellum Iudaicum*, as distinct from those given in connexion with the Jewish holidays, are months of the Julian year, though the terminology is Syro-Macedonian. Schlatter¹⁰⁶ is particularly favourable to this view, and adds the further proof that the months in *Bell. Ind.* have 30 and 31 days, which clearly refers to the Julian or solar year, for months of the Jewish year have only 29 and 30 days, never 31.

Niese¹⁰⁷ agrees with Hoffmann that the calendar in *Bell. Ind.*, except where mention is made of Jewish festivals, is not that of the lunar cycle. Niese furthermore proves from *Antiquities* (III, 10. 5) where Josephus writes, 'On the fourteenth day of Xanthicus according to the lunar calendar' (κατὰ σελήνην) that Josephus knew of another Xanthicus according to solar reckoning (κατὰ θεόν).

¹⁰³ Schürer, *Geschichte*, p. 757.

¹⁰⁴ Graetz, III, p. 472; Derenbourg, *Essai*, p. 109, n. 2.

¹⁰⁵ Otto A. Hoffmann, *l. c.*, pp. 4-17.

¹⁰⁶ Schlatter, *Zur Topographie und Geschichte Palästinas*, 1893, pp. 360-7.

¹⁰⁷ Niese, 'Zur Chronologie des Josephus; Ueber den von Josephus im *Bellum Iudaicum* benutzten Kalender' (*Hermes*, XXVIII (1893), pp. 197-208).

But Niese does not agree with Hoffmann that the months in *Bell. Ind.* are Roman. For if they were Roman months it would be hard to understand why Josephus used the Syro-Macedonian instead of Roman names proper. According to Niese the calendar of *Bell. Ind.* was not Roman, but the Tyrian, which was also a solar cycle and which was generally used in the Diaspora in Josephus's days. Niese¹⁰⁸ in this connexion borrowed Noris's proof that Josephus must have used this calendar when he recorded Vitellius's death as occurring on the third day of Apellaeus; for it is impossible to reconcile this date with Tacitus (*Hist.* III, 79 f.) that Vitellius died on the 20th December, except by assuming that Josephus's date, 3rd of Apellaeus, refers to the Tyrian calendar. For it is only in the Tyrian calendar that the third of Apellaeus falls on the 20th of December (Julian).¹⁰⁹ To the authority of Niese may be added that of Eduard Schwartz, who is one of the few noted scholars who accepted Niese's identification of Josephus's Tyrian calendars.¹¹⁰ The Tyrian calendar is herewith subjoined.

(1) Hyperberetaeus	19th October	30 days
(2) Dios	18th November	30 „
(3) Apellaeus	18th December	30 „
(4) Audynaëus	17th January	30 „

¹⁰⁸ *Ibid.* See Niese, *l. c.*

¹⁰⁹ This was shown by Noris in his book, *Annus et Epochae . . .*, p. 61: 'Ibi nomine Apellaei nec suorum popularium Casleu lunarem intelligit, nec ipsum Apellaeum solarem Antiochensium aliarumque in superiori Syria gentium, sed plane designat Apellaeum solarem Tyrionum, qui quidem Tyrionum mensis inibat die XVIII^o Decembris; unde tertia Apellaei cum XX^o eiusdem Decembris concurrebat. . . . Iosephus Apellaeum mensem loca laudato Phoenicum more expressit'.

¹¹⁰ E. Schwartz, 'Christliche und jüdische Ostertafeln' (*Abhandl. d. K. Ges. d. Wissenschaft. z. Göttingen*, VII. Bd., 1905, pp. 138-69).

(5) Peritius	16th February	30 days
(6) Dystrus	18th March	31 "
(7) Xanthicus	18th April	31 "
(8) Artemisius	19th May	31 "
(9) Daesius	19th June	31 "
(10) Panemus	20th July	31 "
(11) Lous	20th August	30 "
(12) Gorpiaeus	19th September	30 " ¹¹¹

In the course of this study it will become clear that only by assuming the Tyrian calendar in the *Bell. Ind.* can the dates of Megillat Taanit be made to agree with the dates of Josephus.¹¹² We shall also prove that even those dates which Niese concedes as referring to the lunar calendar are not to be so construed. For the present, however, we shall content ourselves with disproving the arguments of Ideler which have gained for his view the support of many scholars, and which Niese and Schwartz did not attempt to refute.

Firstly, the *Bell. Ind.* must be dissociated from the *Antiquities*. Unlike the *Bell. Ind.*, the *Antiquities* with few exceptions explicitly equates the Syriac with the Hebrew months as the following table clearly shows:

(1) The Flood began in the second month called by the Macedonians Dius, but by the Hebrews Marheshwan; for so did they order the year in Egypt. But Moses appointed that Nisan, which is the same as Xanthicus, should be the first month for their festivals, because he brought them out of Egypt in that month, so that this month began the year, as to all the solemnities they ob-

¹¹¹ The year of the Tyrians began with the month Hyperberetaeus—October 19th.

¹¹² See below, No. XXI, XXII, XXV, XXVII.

served the original order of the months or to selling and buying, and other ordinary affairs. I, 3. 3; cp. Gen. 7. 11, and Talmud R. ha-Shanah.

(2) God commanded Moses to tell the Hebrews to make ready a sacrifice on the tenth day of the month Xanthicus against the fourteenth; the month is called by the Egyptians Pharmuthi, and by the Hebrews Nisan, but the Macedonians call it Xanthicus. II, 1. 4, 6; cp. Exod. 12. 3-6.

(3) They (the Hebrews) left Egypt in the month Xanthicus, in the fifteenth day according to the moon. II, 15. 2; cp. above, No. 2, and Exod. 12. 1-43.

(4) In the month Xanthicus, as the Macedonians call it, but the Hebrews call it Nisan, on the new moon, they consecrated the Tabernacle. III, 8. 4; cp. Exod. 40. 16.

(5) Concerning the Festivals: The seventh month, which the Macedonians call Hyperberetaeus, on the tenth day of the same lunar month in the month of Xanthicus, which is by us called Nisan, on the fourteenth day of the lunar month. III, 10. 1-6; cp. Num. 29. 1-39.

(6) On the first day of the lunar month Xanthicus Miriam the sister of Moses died. IV, 4. 6; cp. Num. 20. 1.

(7) Aaron died on the first day of the lunar month called by the Athenians Hecatombaeon, by the Macedonians Lous, and by the Hebrews Ab. IV, 4. 7; cp. Tal. Taanit 9.

(8) Moses died on the first day of the month, which is called by the Macedonians Dystrus, but by us Adar, IV, 8. 49; cp. Tal. Kiddushin 38, where the tradition of Moses' death is given as having taken place on the seventh of Adar.

(9) In the second month which the Macedonians call

Artemisius, and the Hebrews Iyyar, Solomon began to build the Temple. VIII, 3. 1; cp. 1 Kings 6. 1.

(10) In the seventh month which is called by our countrymen Tishri, but by the Macedonians Hyperberetaeus, the Jews assembled together to remove the ark of God to the Temple. VIII, 4. 1; cp. 1 Kings 8. 2.

(11) On the twenty-third day of the twelfth month, which is called by us Adar, but by the Macedonians Dystrus, the second temple was built. XI, 4. 7; cp. Ezra 6. 15; see also below, chap. VIII.

(12) On the feast of unleavened bread, in the first month, which is called according to the Macedonians Xanthicus, but according to us Nisan, all the people celebrated the festival, having purified themselves, according to the law of their country. XI, 4. 8; cp. Ezra 6. 19-22.

(13) All the Jews of the tribes of Judah and Benjamin came together according to the decision of the Elders, on the twentieth day of the ninth month, which according to the Hebrews is called Tebeth [Kislev] and according to the Macedonians Apellaeus. XI, 5. 4; cp. Ezra 10. 9.

(14) In the twelfth month which was called Adar, Artaxerxes made a wedding feast for Esther. XI, 6. 2.

(15) That the Jews may defend themselves the very same day from unjust violence, namely, on the thirteenth day of the twelfth month, which is Adar (from the letter of Artaxerxes). XI, 6. 12; cp. Esther 8. 12.

(16) On the thirteenth day of the twelfth month, which according to the Hebrews is called Adar, but according to the Macedonians Dystrus, they (the Jews) should destroy their enemies. XI, 6. 13; cp. Esther 9.

(17) They (the Jews) banded themselves together again

on the fourteenth day of the month Dystrus, and slew their enemies. *Ibid.*, cp. above, 16, and Esther 9. 1-18.

(18) In the letter from Antiochus the Great to Ptolemy he said that he granted a discharge from taxes for three years to its present inhabitants, and to such as shall migrate to it (Jerusalem) before the month Hyperberetaeus. XII, 3. 3.

(19) On the twenty-fifth day of the month, which is called Kislev by us and by the Macedonians Apellaeus, Antiochus erected an altar on the top of God's altar. XII, 5. 4 and XII, 7. 6; cp. 1 Macc. 1. 59; 4. 52.

(20) On the twenty-fifth day of the month Kislev, which the Macedonians called Apellaeus, the Jews purified the Temple. XII, 7. 6; cp. 1 Macc. 4.

(21) On the twentieth day of that month, which is called by the Jews Adar, and by the Macedonians Dystrus, the victory over Nicanor took place. XII, 10. 5; cp. 1 Macc. 7. 49 and 2 Macc. 15. 36.

Furthermore, it must be remembered that with one exception¹¹³ all the dates mentioned in the *Antiquities* occur in the first Twelve Books, which are directly based on Hebrew documents and traditions, whereas the sources of *Bell. Jud.* are the contemporary documents of the war-time which were naturally dated according to the Tyrian calendar which prevailed universally in Syria.

¹¹³ This exception is fully explained by the fact that his source was, as he himself states, the letter of Antiochus the Great to Ptolemy, and so there was no occasion for giving the Jewish month. Also in the latter books (XIV), where he gives the decree of the City of Athens, he uses the months mentioned in that document. In the decrees of the Romans, too, he gives Roman months, April, February, and October. Names of months were drawn from his sources. Comp. also *Ant.* VIII, 13, 2.

Furthermore, the same passage in *Bell. Iud.* concerning the death of Vitellius on the third of Apellaeus,¹¹⁴ which is used by Niese to prove that the Roman calendar could not have been employed here as this would conflict with the testimony of Tacitus, who dates his death December 20,¹¹⁵ can be used with equal force to prove that the Hebrew calendar is not in consideration here, for Dec. 20, in 69 C.E. corresponds to Kislev 19-20, and not to the third of Kislev.¹¹⁶

Finally, the strongest proof advanced by Ideler regarding the Hebrew character of the nominally Macedonian months, which is based on the identification of the Wood-Festival on the 14th of Lous with the festival known to the Mishnah as the 15th of Ab. and which has thus far been generally conceded even by those who oppose the general inference drawn from this by Ideler, is open to serious criticism. For, as we shall show presently, this festival is none other than the Wood-Festival of the 10th of Elul, and if our

¹¹⁴ *Bell. Iud.*, IV, 11. 4-654.

¹¹⁵ Tacitus, *Hist.*, III, 79.

¹¹⁶ The third of Apellaeus was in 69 C.E. close to the twentieth of Kislev. Lewin, *Fasti Sacri*, p. 354, London, 1900, thinks in our texts of *Bell. Iud.* these are scribal errors, and that instead of *τρίτη Ἀπελλαίου* it should read K (20) *Αὐδινάιον*, because, according to Lewin, the calendar used by Josephus in *Bell. Iud.* was the Jewish one, and in 69 C.E. the 20th of December fell about 20th Tebet (Ginzler, *Handbuch*, Tafel IV). As Gumpach observes (*Über den alt. jüd. Kalender*, Tabella I, Leipzig, 1848), this was a leap year. But this year was not a leap year on account of being a sabbatical year (68-69 is a sabbatical year, see above). Those who believe that the Calendar is used in *Bell. Iud.* according to the Jewish months, see errors where they do not exist. Hence, Lewin who claims that for Apellaeus we must substitute Audynaeus, as well as those scholars who, because the Mishnah mentions 15th of Ab as a Wood-Festival, are determined on changing the 14th of Lous—mentioned in *Bell. Iud.* as a Wood-Festival—to 15th of Lous, and thus proving Lous = Ab,—all these pervert the chronography of this work of Josephus. See further below, No. XXIII, p. 82.

theory is correct the identification of Lous with Ab must be completely abandoned.¹¹⁷

¹¹⁷ It is interesting to note that in *Bell. Iud.* Josephus mentions 15th of Xanthicus (No. 38) and makes no reference to its being Passover. Apparently in this year, 72 c. e., the 15th of Xanthicus did not fall on the 15th of the month Nisan. Masada was captured in 72 c. e., see Niese, *l. c.*, pp. 211-12; Tillemont, *Histoire*, I, p. 655, and C. Zumpt, *Annales veterum regnorum et populorum imprimis Romanorum*, Berlin, 1892.

CHAPTER VI

THE GREAT REVOLT AGAINST THE ROMANS.

ASSUMING that Josephus employed the Tyrian calendar in his account of the Jewish Revolt, it is still impracticable to identify the dates of Megillat Taanit before we determine the year of the Great Rebellion. The consensus of opinion is that the Revolt began in the year 66 C. E.¹¹⁸ Westberg,¹¹⁹ on the other hand, adopts the year 67, while Jost¹²⁰ maintains that the war began in 65 C. E.

Josephus twice refers to the Revolt as beginning in the twelfth year of Nero : in connexion with Cestius's defeat,¹²¹ and in an earlier passage telling how the rebellion broke out against the Romans and Florus—on the 17th of Artemisius in the twelfth year of Nero's imperatorship and in the 17th year of Agrippa.¹²² A critical examination of these two passages shows that the dates cannot be placed in one year. For if the outbreak of the Rebellion occurred in the month of Artemisius of the twelfth year of Nero, then the defeat of Cestius could not have been in the eighth of Dios of the same year of Nero ; for it is known that Nero became emperor on the thirteenth day of October 54 C. E. ;¹²³ and according to no calculation

¹¹⁸ See Schürer, I, 600 ; Graetz, III², 451.

¹¹⁹ Friedrich Westberg, *Zur neutestamentlichen Chronologie*, Leipzig, 1911, pp. 14-16.

¹²⁰ Jost, *Geschichte des jüdischen Volkes*, II, p. 88 and note 31.

¹²¹ *Bell. Jud.* II, 19, 9 τὰδε μὲν [ταῦτα] οὖν ἐπράχθη Δίου μηνὸς ὀγδόῃ δωδεκάτῃ [ἔτει] τῆς Νέρωνος ἡγεμονίας.

¹²² *Bell. Jud.* II, 14. 4.

¹²³ See Tacitus, *Ann.* XII, 63.

could Artemisius precede Dius in any one year of Nero's reign. For, whether Josephus used the Roman calendar, and Artemisius corresponded to May and Dius to November, or whether he used the Jewish calendar and Artemisius was Iyyar and Dius was Heshvan, or whether his calendar was the Tyrian, Artemisius preceded Dius in the year of Nero's reign. Therefore the revolt must either have begun in Artemisius in the eleventh year of Nero's reign or else the defeat of Cestius occurred not in the twelfth but in the thirteenth year of Nero's reign.¹²⁴

This seemingly insurmountable difficulty is satisfactorily solved by Unger.¹²⁵ According to him Josephus counted Nero's imperium not from the day on which he ascended the throne, but either from the beginning of the calendar year (January 1), or from the day of the Tribunicia Potestas (December 10). This theory finds corroboration elsewhere. Thus the date January 60 C.E. is described as Tribun. Potest. VII Imper. Consu. IV.¹²⁶ Now the reckoning of

¹²⁴ Niese already felt (*Hermes*, 1893, p. 211) this difficulty, and he explained that Josephus counts the year of Nero's reign not from the date of his accession to the throne, but from the first day of Nisan, 55 C.E. Thus Artemisius precedes Dius, and these months of the 12th year of Nero fall in 66 C.E. But Niese hereby contradicts himself, for it is his theory that in the *Bell. Ind.* the calendar of the months is not Jewish but Tyrian (*l.c.*, 202-41). Furthermore, if it be assumed that Josephus employed the Jewish calendrical system in his computation of the years of Nero's reign, then the months of Dius and Artemisius in 66 C.E. would be counted in the 13th year of Nero's reign, not the 12th. For, according to Jewish calculation, the period from the 13th of October, 54 C.E., when Nero ascended the throne, until Nisan 55 C.E., would be reckoned as a full year.

¹²⁵ Unger, 'Zu Josephus', *Sitzungsberichte der Münchener Akademie, Philos.-philol. u. hist. Cl.*, 1896, pp. 383-97.

¹²⁶ See Henzen, 'Eine neue Arvaltafel', *Hermes*, II, 1867, pp. 37-55. Th. Mommsen, *Staatsrecht*, II, p. 755, n. 1. See also Stobbe, 'Die Tribunenjahre der römischen Kaiser', *Philologus*, XXXII, 1873, pp. 23-9.

Nero's imperial reign was dated from the day when he ascended the throne, October 13, 54 C.E., then the date January 60 C.E. could not be described otherwise than Imper. VI. If, however, we assume that Nero's reign was dated from the beginning of the calendar year 54 C.E., or in other words that the first year of his reign ended with the calendar year 54 C.E., and hence January 1, 55 C.E. marked the beginning of the second year, or, likewise, if the years of the reign were calculated according to the Trib. Potest., and hence the first year of his reign ended Trib. Potest. December 10, 54, then January 60 C.E. is properly described Imper. VII.¹²⁷ This is also borne out by most of the coins issued in the fourth consulate of Nero (60 C.E.) whereon we find Tribun. Potest. VII.¹²⁸

According to this theory, the 17th day of Artemisius and the 8th of Dios in the twelfth year of Nero's reign correspond to June 4 and November 25 in the year 65 C.E., and therefore the revolt is to be definitely dated in the year 65 C.E., and not 66 C.E., as is generally assumed, and consequently Vespasian's command in Galilee began not in 67 C.E. but in 66 C.E.¹²⁹ The date 65 C.E. as the year

¹²⁷ See Unger, *l. c.*

¹²⁸ Cohen. XXXII-XXXIX; Eckhel, *Doctrina numorum*, VI, p. 264. Accordingly they calculated the years of Vespasian, not from his ascending the Emperor's throne, which, according to Tacitus and Suetonius, took place July 69 C.E., but from his *tribunitia potestas*; see further, Mommsen, *Staatsrecht*, pp. 752-4.

¹²⁹ M. Le Nain de Tillemont, *Histoire des Empereurs*, showing that Cappel, too, heeds the view that Josephus counted the years of Nero's reign not from the day of his ascending the throne, but according to the years of his consulate, and hence that the revolt began, not in 66 C.E.; but in 65 C.E. As Louis Cappel's book is not generally accessible, I quote Tillemont's excerpt verbatim: 'Joseph dit que la guerre des Juifs commença au mois de May l'an 12 de Neron [s'il conte ces années du 13 Octob. 54 auquel Neron fut déclaré Empereur, c'estoit certainement en 66, mais il

of the revolt fits in also with Josephus's remark that it occurred in the seventeenth year of the reign of Agrippa. For it was after the death of Herod II (of Chalcis),¹³⁰ in the eighth year of Claudius,¹³¹ that is at the close of 48 C. E. or the beginning of 49 C. E., that Claudius decided to give the kingdom to Agrippa, which he did in the following summer.¹³² Josephus, it may be assumed, counted the reign of Agrippa from the 1st of Nisan, as was the custom of Jewish kings¹³³ (באחד בניסן ראש השנה למלכים), Rosh ha-Shanah 1), according to which the interval between the time of his ascending the throne and the New Moon of Nisan, 50 C. E., constituted year one, &c.¹³⁴, so that the seventeenth year of his reign began with Nisan 65 C. E.

That the revolt broke out in 65 is to be seen also from the chronology of the *Seder Olam*, which gives the dynasty of Herod as 103 years (*Seder Olam*, ch. 30): מלכות בית הורדוס מאה ושלש שנים. The dynasty of Herod dated from the beginning of Herod's rule, early in 37 B. C. E., shortly after the death of Antigonus.¹³⁵ which occurred in January 37 B. C. E.¹³⁶ According to Josephus Herod ruled thirty-

paroist qu'il ne s'attache pas à ce jour] puisque le 8 Novemb. suivant estoit encore selon luy dans la 12^e année de ce Prince. Il conte donc par les consulats, depuis le premier Janvier qui a precedé le 13 Octob. 54 ou qui l'a suivi. Selon le premier, la guerre a commencé en 65 et c'est le sentiment de Luis Cappel dans son abregé de l'histoire des Juifs' (p. 121). Tillemont, *Histoire*, 'Notes sur la Ruine des Juifs', Note XXII, Paris, 1690. See also Scaliger, *Emend. Temp.*, p. 468-70.

¹³⁰ *Bell. Iud.*, II, 12, 1; Tacitus, *Annales*, XII (in the year 49 C. E.).

¹³¹ *Ant.*, XX, 5. 2; cp. Tacitus, *Annales*, XII.

¹³² Clinton, *Fasti Romani*, I, p. 32; Lewin, *Fasti Sacri*, 48-9.

¹³³ About his similarly computing the years of Herod, see below.

¹³⁴ See Rosh ha-Shanah 2 b.

¹³⁵ Βασιλεύσας μεθ' ὃ μὲν ἀνέειλεν Ἀντίγονον ἔτη τέσσαρα καὶ τριάκοντα, *Ant.* XVII, 8. 1.

¹³⁶ See above.

four years. Herod died at the close of Adar 4 B.C.E.¹³⁷ Now, from 37 B.C.E. to 4 B.C.E. there is only a period of thirty-three years. But doubtless Josephus's chronology for the reign of Herod is based on the Jewish calendar according to which the month of Nisan is the beginning of the regnal year (cp. above). Consequently the New Moon of Nisan 37 B.C.E. marked already the beginning of the second year.¹³⁸ From the beginning of 37 B.C.E. until the close of the summer or autumn of 65 C.E. when the Jews threw off the Roman yoke, and soon after also the yoke of the Herodian house (see further 25, 26, 27, 28), is a period of 103 years.¹³⁹ By this we are to understand chronological years, not complete years—the terminal fraction of a year being accounted a year. The same is borne out by another passage of the *Seder Olam* regarding the wars between the Romans and the Jews. מְפֹלְמוֹם שֶׁל אֲסוּרוֹס (וֹרוֹס) עַד פּוֹלְמוֹס (שֶׁל רוֹמוֹס) שֶׁל אֲסַפְסִינּוֹס פ"ע שָׁנִים אֵלּוּ בִּפְנֵי הַבַּיִת מְפֹלְמוֹס שֶׁל אֲסַפְסִינּוֹס עַד פּוֹלְמוֹס שֶׁל קִיטוֹס נ"ב שָׁנִים וּמְפֹלְמוֹס שֶׁל קִיטוֹס עַד מַלְחַמַת בֶּן כּוֹיְבָא י"ו שָׁנָה וּמַלְחַמַת [מַלְכוּת] בֶּן כּוֹיְבָא שְׁתֵּי [שָׁלֹשׁ] שָׁנִים וּמַחֲצָה. From the expedition of Severus (Varus) to the expedition of Vespasian seventy years elapsed, i. e. from the expedition of Varus¹⁴⁰

¹³⁷ See below ; Schürer, I, pp. 415-18.

¹³⁸ According to the Talmud, if a king ascends the throne even in Adar, the time until Nisan is accounted a year, and with that Nisan begins his second year (R. ha-Shanah 3 a).

¹³⁹ In regard to the chronology followed by *Seder Olam* in its total of 103 years for the throne of the Hasmonean house, see below in note 235.

¹⁴⁰ By emending אֲסוּרוֹס, we get the only intelligible reading, פּוֹלְמוֹס שֶׁל וֹרוֹס (the expedition of Varius); so all scholars read, e.g. F. Westberg, *Zur neutestamentlichen Chronologie*, p. 17 ; Schürer, *Geschichte*, I, 421 ; Derenbourg, *Histoire*, p. 194. G. Volkmar, *Handbuch der Einleitung in die Apokryphen*, I, Tübingen, 1860, substitutes אֲסוּיִנוֹס for אֲסוּרוֹס, a supposed transliteration of the name of Sabinus who was Augustus's legate in the year when Herod died.

in 4 B.C.E., shortly after the death of Herod, until the expedition of Vespasian, which according to our view took place in the summer of 66, there is chronologically a period of seventy years.¹⁴¹ Similarly, from the expedition of Vespasian, 66 C.E., to the expedition of Quietus, 117 C.E., there elapsed chronologically fifty-two years, i.e. by reckoning the terminal fractions of the years 66 and 117 as full years.¹⁴² Finally, the interval between the expedition

¹⁴¹ In place of 'eighty' there should be 'seventy' years. So Westberg, *l. c.*; Schürer, *l. c.*; Derenbourg, *l. c.*; Volkmar, *l. c.*, p. 84. That in this passage we must emend 80 to 70 we can see from another source. When R. Akiba, at the beginning of Hadrian's reign, started his propaganda for revolution, he demonstrated to the Jews that now was the favourable moment for it, that the Messianic era was approaching, and called Ben Kozeba the Messiah; in this connexion also he expounded the Messianic prophecies of Haggai (2. 6-9), (Sanhedrin 97 b מעט הוא ואני מרעיש את השמים ואת הארץ . . . והרעשתי את כל הנעים ומלאתי את הבית הזה בכבוד. Now Rabbi Akiba developed it thus: 'Yet once a little while', that is to say, Haggai prophesied another period of exile of Babylon, but it will be only a little while, מלכות ראשונה שבעים שנה ומלכות שנייה חמישים ושתיים, שנה, i.e. the first kingdom or domination of the Romans, extending from the expedition of Varus (4 B.C.) until the close of the year of 65 C.E., when they threw off the Roman yoke, is a period of seventy chronological years (though in this period kings of Herodian family maintained royal state, and in a slight degree royal prerogative, possessing hardly a semblance of power,—their main object being to please the Romans, upon whose favour their position depended). The second period of foreign domination evidently was from the destruction of the Temple, 70 C.E., until the time when R. Akiba aroused the people to revolt against the Romans (and this was in the year 121 C.E.). But after these two periods of foreign domination—continues R. Akiba in his exposition—'I shall shake all the nations and the House shall be filled with glory', i.e. the Messiah shall come. Rashi did not understand this comment of R. Akiba as referring to his own times, hence he was forced to give a far-fetched explanation. But see Hiddushe Aggadot of R. Samuel Eliezer Edels (Maharsha) on this.

¹⁴² This shows clearly that the insurrection at the close of Trajan's reign included Judea as well as the Diaspora, though Renan, *Les Évang.*, p. 509, expresses his opinion that in these disturbances the Jews of Palestine took

of Quietus, 117 C.E., and the war of Ben Cozeba (Bar Cocheba), 132 C.E., was chronologically sixteen years. By similar calculation the war of Bar Cocheba continued into the spring of 135 C.E.¹⁴³ and lasted altogether three and a half years.

no part. Why did Trajan take Quietus, his best general, from the most hotly contested war and send him to a peaceful spot? Evidently the insurrection had spread so as to embrace the Holy Land, its residents being affected thereby. This is called פולמוס של קיטוס, the expedition of Quietus. See H. Schiller, *Geschichte der römischen Kaiserzeit*, II, p. 562; Graetz, *Geschichte*, IV, p. 406; Lipsius, *Zeitschr. f. wissenschaft. Theol.*, 1857. Graetz, *ibid.*, finds a difficulty in the chronology of the *Seder Olam* referring to these expeditions. He erringly identifies Polemos shel Aspasianos with the destruction of the Temple in 70 C.E. (for his understanding of the passage the traditional date 68 C.E. suited better), for his chronological computation produced neither seventy nor eighty years from the Polemos of Varus (or as he considered it of Herod) to the Polemos of Vespasian, nor did it result in fifty-two years from the Polemos of Vespasian to the Polemos of Quietus in 117 C.E. But when we regard Polemos shel Aspasianos as Vespasian's invasion of Galilee in 66 C.E., the chronology adjusts itself admirably.

¹⁴³ See Schürer, I, pp. 668-70.

THE BOOK OF ESTHER IN THE LIGHT OF HISTORY

BY JACOB HOSCHANDER, Dropsie College.

CHAPTER IV

Ahasuerus' identity with Artaxerxes II, Mnemon—Plutarch's Life of Artaxerxes—Plutarch's sources and their reliability—Artaxerxes' character—His relations to the Greeks—The Peace of Antalcidas—The rebellion of Cyrus the Younger—The date of the battle of Cunaxa—Artaxerxes' celebration of his victory—His domestic life—Quarrels between his queen and his mother—The rule of the harem—The queen's disobedience—Her degradation and murder—Her name—Artaxerxes' concubines—Artaxerxes' suspicions against his grandees—His palace at Susa—The name Ahasuerus in the Hebrew version—A comparison between Xerxes and Artaxerxes II—The resurrection of the Persian empire—The Arsacides alleged descendants of Artaxerxes II—His proper name—The uniformity of the Scriptures—The name Artaxerxes in the Greek version.

THE veracity of a story has to be judged by the facts narrated therein, and these facts on their own merits, independently of the names of the *dramatis personae*, which may have been changed for some reason. The modern exegetes of the Book of Esther evidently do not grant these premisses. Having identified Ahasuerus with Xerxes, an identification that etymologically cannot be doubted, and finding that historically the events of this Book could not have occurred under the reign of the latter, they conclude that the story is fictitious. This conclusion is erroneous. We readily concede that an assumption that these events actually happened under Xerxes' reign is beyond the limits of consideration, as we have shown in the preceding chapter. But this fact does not prove that these events are unhistorical. They might have occurred under a ruler whose name was not Ahasuerus. We indeed

contend that the events of our story, being corroborated by external, non-biblical historical sources, cannot be denied, and that the *name* of the king found in the present Hebrew version of the Book of Esther is fictitious. In the course of our investigation, we hope to prove the truth of our contention.

Historical events under the reign of Artaxerxes II Mnemon (404/3-359/8 B.C.E.) leave no room for doubt that the events narrated in our story occurred under that king's reign. The latter having played a part in the history of Greece, such as no other Persian king before or after him, we have abundant information about his political affairs, which can be traced in our story. But records about his domestic life, written by various Greek authors, are scanty and not of a character to be implicitly relied upon, being apparently a mixture of truth and fiction. The writings of the older classical historians who dealt with this subject, like Ctesias of Cnidus, Deinon of Colophon, Heraclides of Cyme, and others are lost, with the exception of some fragments of Ctesias.¹ All later historians who touched upon this subject drew from these sources. Plutarch, in his *Life of Artaxerxes*, relied for the description of the first part of this king's reign chiefly upon Ctesias, for that of the later years chiefly upon Deinon, but drew also from Heraclides and other sources. Ctesias could testify as an eye-witness to the events that happened in the first six years of Artaxerxes' reign, since he was physician at the Persian court for about seventeen years (414-398). He wrote his history about 390. His testimony ought seemingly to be regarded of prominent value.

¹ For the historical sources for this period see Ed. Meyer, *Gesch.* III, pp. 7 ff.

But Plutarch does not place much confidence in him, charging that he had filled his books with a number of extravagant and incredible fables. Ctesias had indeed in antiquity the not undeserved reputation of a liar and forger. Deinon wrote his history towards the end of the Achaemenian period, and is generally regarded as trustworthy. For our present investigation, we must chiefly rely upon Plutarch. But judging by his *Artaxerxes*, we must doubt Deinon's reliability. We shall demonstrate by a few striking examples that this historian does not deserve great confidence. It is surprising to see our modern historians, like Ferdinand Justi,² and even Eduard Meyer, the greatest authority on ancient history in our times, implicitly accepting in their Histories many statements of Plutarch, without subjecting them to a critical analysis. We call attention to the following points:

(1) According to Plutarch, Artaxerxes II reached the age of ninety-four years.³ Both Justi⁴ and Eduard Meyer⁵ accept this statement. If this be true, Artaxerxes must have been forty-eight at the time of his accession to the throne, since he reigned from 404/3 to 359/8. But the latter was the son of Darius II and Parysatis. They had, according to Plutarch,⁶ four children, of whom Artaxerxes was the eldest, Cyrus the second, and Ostanes and Oxatres the two youngest. Darius reigned 424-404. As Cyrus claimed the throne on account of having been born in the purple, he must have been about nineteen years old at the

² *Geschichte des Alten Persiens*, Berlin, 1879 (in Oncken's 'Allgemeine Geschichte', part IV).

³ Plutarch's *Artaxerxes*, XXX, 9.

⁴ In his *Geschichte*, p. 136.

⁵ In his *Forschungen*, p. 489. In his *Geschichte* he says that Artaxerxes was *uralt*.

⁶ *Artaxerxes*, I, 2.

demise of his father. Accordingly Artaxerxes would have been twenty-nine years older than his second brother. Parysatis, remarkable for her cruelty, would have been more remarkable as a natural phenomenon, having borne three lusty sons after an intermission of twenty-nine years.⁷ As a matter of fact, Artaxerxes was merely a few years older than his second brother. He must have been at the prime of his life at the time of his campaign against the Cadusians, about twenty-four years after his accession, if he could bear all the hardships of the march like the meanest soldier and show strength and alacrity by marching two hundred furlongs daily, as Plutarch informs us.⁸ However, Plutarch is in this case not as much to blame as the modern historians; for the former gives Artaxerxes a reign of sixty-two years,⁹ and thus Cyrus would have been only about thirteen years younger than his eldest brother. If historians rightly reject the statement concerning the years of his reign as unhistorical, they ought to have repudiated also that as to Artaxerxes' age!

(2) Plutarch's date of Artaxerxes' reign, mentioned above, is not a scribal error, as the same date is given by Sulpicius Severus, and both drew from the same source, from Deinon, according to Ed. Meyer.¹⁰ The latter

⁷ There is also another chronological improbability. Artaxerxes I, who was the younger son of Xerxes, was undoubtedly born in the purple. As the latter ascended the throne 484, and was murdered 465, Artaxerxes could hardly have been more than eighteen at the time of his accession. Now if Artaxerxes II was forty-eight years old when he became king, he must have been born 452. Then Artaxerxes I would have become a grandfather at the age of thirty. G. Rawlinson (*Herod.* IV, p. 2) considers it incredible that Xerxes should have had a grown-up son when he was at most thirty-six years old.

⁸ *Artaxerxes*, XXIV, 11.

⁹ *Ibid.* XXX, 9.

¹⁰ *Forschungen*, p. 489.

admits that he is unable to explain how such an error could have occurred. He evidently overlooked the fact that this date, giving Artaxerxes the age of ninety-four years at his death, is the basis of all the stories about Cyrus and Parysatis, told by Plutarch. It is also possible to explain the occurrence of this error. Eusebius gives Artaxerxes II a reign of forty years, while Africanus gives Artaxerxes III a reign of twenty-two years. Hence it is very possible that the date given by Plutarch and Severus include the regnal years of both these kings. This date sufficiently shows how badly Deinon must have been informed about the Persian history of this period.

(3) Plutarch tells us that Cyrus had a concubine named Aspasia, who had been taken prisoner in the battle of Cunaxa, and afterwards became the concubine of Artaxerxes. But his oldest son Darius, after having been appointed successor, requested his father to give Aspasia to him. Artaxerxes complied with his request, but soon afterwards he took her away and made her priestess of Diana of Ecbatana, whom they called Anaitis, that she might pass the remainder of her life in chastity.¹¹ Darius, incensed and persuaded by Teribazus, conspired against the life of his father and intended to assassinate him in his bed-chamber.¹² When these events occurred, Artaxerxes was

¹¹ *Artaxerxes*, XXVII, 4.

¹² *Ibid.* XXIX. Plutarch may congratulate himself that he was not a Jewish author. The commentators on Esther concern themselves with the difficult question how Esther, who as cousin of Mordecai must have been at least fifty or sixty years of age, should have been so beautiful as to captivate the heart of Xerxes. Plutarch's tale is more incredible, and nevertheless Justi, *Gesch.*, p. 137, accepts it literally, without expressing any doubt as to its historicity. Some commentators believe that in the seclusion and care of an Oriental harem beauty lasts to an extreme age (see Bertheau-Ryssel, p. 400, and Paton, p. 170). However, just the

already far advanced in years, as Plutarch asserts. The fact that a successor to the throne was appointed shows that they happened in the last years of his reign. At that time Aspasia was already an old woman, at the age of seventy at least, according to Plutarch's chronology. Accordingly, 'the goddess of beauty' could not have 'contributed her share towards persuading Darius by putting him in mind of the loss of Aspasia'.

(4) Plutarch further tells us that Parysatis was instrumental in bringing about the marriage of Artaxerxes to his own daughter Atossa, by telling him to make her his wife, without regarding the laws and opinions of the Greeks.¹³ This daughter was apparently rather young at the time of her marriage to her own father, since her brother Ochus, the youngest son of Artaxerxes, is said to have promised her to make her his queen, in case she would assist him in putting his elder brothers out of the way.¹⁴ This occurred at the time of Darius's conspiracy. But according to Plutarch, Parysatis must have been fifty years of age at least, when Artaxerxes ascended the throne, and could hardly have been alive towards the end of his reign.

Historians attach too much importance to Persian harem-stories recorded by Greek authors. We ought to bear in mind that the Persian harem was more closely guarded than the Golden Fleece. No outsider could know

contrary is true. Justi, *l. c.*, p. 125, observes: 'The charms of the women last seldom more than eight or nine years. The splendid beauty soon turns withered, lean, blear-eyed, and becomes in every respect an ugly woman. Each year brings a new wrinkle, until the former light of the harem is quite obscured'. From this point of view, we understand why there were new gatherings of virgins from time to time.

¹³ *Artaxerxes*, XXIII, 5.

¹⁴ *Ibid.* XXVI, 3.

exactly the real happenings there.¹⁵ The stories are based upon rumours which may have been embellished and distorted, not upon first-hand information. It should also be taken into account that the Greek writers in telling startling stories about the barbarians, were playing to the gallery. The Greek physicians at the Persian court were most likely better informed about happenings in the harem. But with the exception of Ctesias, who is fond of giving fiction instead of truth, especially where his own ambition was concerned, these physicians did not write histories.

There is no doubt some truth in many stories of Plutarch's *Artaxerxes*, but it is mixed with fiction. There may have been a conspiracy against the life of Artaxerxes in the first years of his reign, in which Aspasia played some part. Who knows whether she was not involved in some conspiracy to avenge the death of her lover Cyrus, which the Greek author mixed up with the conspiracy of Darius that occurred about forty years later? Ed. Meyer, who in his *History* gave full credence to Plutarch's account, seems to have lost faith in it, as his description of the events under discussion, in the *Encyclop. Brit.* (11th Edition), differs in several points from that of Plutarch. He writes: 'In the last years of his reign, he had sunk into a perfect dotage. All his time was spent in the harem, the intrigues of which were complicated by marrying his own daughter Atossa. At the same time his sons were quarrelling about his succession. One of them, Ochus, induced his father to condemn to death three of his elder brothers who stood in his way. Shortly afterwards Artaxerxes died.' This

¹⁵ It is different with Jewish writers, as some of them were in all probability eunuchs (see Chapter VII), and therefore were better acquainted with the secrets of the harem than the average Persians.

historian evidently does not believe in Plutarch's stories, that Darius was found guilty of a conspiracy, that the second brother, Ariaspes, committed suicide, and that the third brother was murdered by Harpates at the order of Ochus.¹⁶ We must indeed take these stories with a grain of salt, not as did Justi who in his *History* adheres faithfully to Plutarch's description in all its details.

It is noteworthy that there is a period of about thirty years at least between the death of the first queen of Artaxerxes and the alleged marriage to his own daughter Atossa. Who was queen in the meantime? If there had been a queen, she would in all probability have taken part in the intrigues at the court, as did all the Persian queens, and Greek writers would have told us something about her. There seems to have been a queen who differed from all her predecessors, in not mixing herself in the intrigues of the court, and, therefore, Greek writers did not know anything about her. Now it is true, Plutarch states: 'Some historians, amongst whom is Heraclides of Cyme, affirm that Artaxerxes married not only Atossa, but also another of his daughters Amestris.'¹⁷ However, the latter marriage could only have preceded that to Atossa by a few years; for Plutarch tells us that Amestris had been promised to Teribazus, but Artaxerxes, instead of keeping his promise, married her himself, promising Teribazus that he should have his youngest daughter Atossa, of whom, however, he also became enamoured and whom he married.¹⁸ Moreover, Plutarch's statement that Artaxerxes married his own daughters, though generally accepted by all historians,

¹⁶ *Artaxerxes*, XXX, 2-8.

¹⁷ *Ibid.* XXIII, 6.

¹⁸ *Ibid.* XXVII, 7-9.

is rather doubtful.¹⁹ We have no similar record of any other Persian king of the Achaemenians, Arsacids and Sassanids. Artaxerxes may have had a queen whose name by some was said to be Atossa, by others, Amestris. But the Greek writers, knowing that the Zoroastrian religion considers next-of-kin marriage sacrosanct, and being led astray by the queen's names, identical with those of his daughters, believed that he married the latter.²⁰

Ed. Meyer describes Artaxerxes II as being a good-natured monarch, but weak, capricious, readily accessible to personal influences and dependent upon his favourites; in his time the baleful influence of the harem made appalling progress.²¹ The character of Ahasuerus, as represented in the Book of Esther, could not be more accurately depicted than by this description. However, notwithstanding his character, Artaxerxes II was, without exception, the greatest monarch of the Achaemenian dynasty. It is true he does not deserve any credit for his power. His greatness was due neither to his own personality nor to the strength of the Persian empire, which on the contrary showed in all parts under his reign

¹⁹ Cf., however, Ed. Meyer, *Gesch.*, Einleitung, 1910, pp. 23-32, and III, p. 41. He accepts this statement on Plutarch's authority. The latter tells us in connexion with Artaxerxes' marriage to his own daughter: 'his affection for Atossa was so strong, that though she had a leprosy which spread itself over her body, he was not disgusted at it'. This statement is not in accord with that of Herodotus, I, 139, who writes: 'If a Persian has the leprosy, he is not allowed to enter into a city or to have any dealings with the other Persians.'

²⁰ It is rather curious that the names of Artaxerxes' queen *Hadassah* and *Esther* should be almost identical with those of his two daughters, *Atossa* and *Amestris*, he is said to have married.

²¹ See his article 'Artaxerxes', in the *Encyclop. Brit.*, 11th ed., and *Geschichte*, V, p. 181.

visible signs of decline and decay, but to the discord and corruption of the Greeks. Still the Persians must have looked upon him with the greatest admiration for having vindicated their honour. Since the days of Marathon and the humiliating defeats at Salamis, Plataea, and Mycale, the Persians, this proud nation which considered itself to be greatly superior in all respects to the rest of mankind,²² could not help admitting the superiority of the Greeks, by whom they had been disgracefully defeated. Ed. Meyer observes: 'In many Persians may have been alive the feeling of disgrace that the great campaign had ended so deplorably, that they were even unable to come to the assistance of the brave garrisons in Thrace.'²³ Both Artaxerxes I, who was compelled to recognize the independence of the Greeks of Asia Minor, and Darius II were only too glad when the Greeks did not interfere in their own dominion.²⁴ But under the rule of Artaxerxes II, the Persians could lift up their heads again and look down with contempt upon their former arch-enemies, the Greeks. What a spectacle it must have been for the Persians to see the descendants of the heroes of many glorious battles crouching at the feet of their king and paying him divine honours!²⁵ The aim for which Darius I and his successor Xerxes had striven in vain, the subjection of the Greeks, was actually attained by Artaxerxes II. Greece was subdued, and officially recognized Persia's suzerainty. There is no doubt that this king's memory was held by the Persians in the greatest esteem and reverence even in

²² Herodotus I, 134.

²³ *Geschichte*, III, p. 585.

²⁴ Egypt would never have succeeded in freeing itself from Persia without the aid of the Greeks.

²⁵ *Artaxerxes*, XXII, 8.

later times. Diodorus Siculus informs us why Ochus, the successor of Artaxerxes II, assumed the name Artaxerxes: 'Artaxerxes, ruling the kingdom with great justice and integrity, and being a great lover and earnest promoter of peace, the Persians decreed that all succeeding kings should be called by his name.'²⁶ Such an unhistorical and ridiculous legend must have come from an oriental source at a time when Persian history was no longer known, but the memory of Artaxerxes II was still alive. We consider it hardly a coincidence that the founder of the Neo-Persian empire bore the name of Artaxerxes (Ardashir, Artashatr).²⁷

Artaxerxes II was, like Darius I, incontestably king of Asia. The extent of his empire is defined in the Book of Esther by the geographical term: 'from India unto Ethiopia' (מהורדו ועד כוש).²⁸ At the outset of his reign, he was fortunate in recovering many Greek cities of Asia Minor lost about eighty years before his reign by his great-grandfather Xerxes. The fall of Athens (402 B.C.E.) ended its hegemony over these cities, and they became an easy prey to the Persian empire. Sparta's plan to continue Athen's policy and to establish a new hegemony, was frustrated by the corruption of Greece. Plutarch states that Artaxerxes forced Agesilaus, who was victorious everywhere, to leave Asia Minor by sending Hermocrates into Greece with a great amount of gold, and instructed him to corrupt with it the leading men in the Greek states and to stir up a Grecian war against Sparta. The most important

Esther
I. 1; 8. 9

²⁶ In his *Historical Library*, XV, 2.

²⁷ See Justi, *Geschichte*, p. 177.

²⁸ There may be some doubt whether such a geographical term includes Egypt. The latter country was no longer under the Persian rule at the period of our story. But we may reasonably assume that its independence was never recognized by the Persian kings (cf. Chapter I, n. 5).

cities formed a league against it. Artaxerxes deprived Sparta also of the dominion of the sea through the agency of the Athenian Conon who acted in conjunction with the Persian satrap Pharnabazus. After he had won the battle of Cnidus, he drew almost the whole of Greece into his interest. The Peace of Antalcidas (387 B.C.E.) was entirely of his own making. Sparta, at the advice of Antalcidas, gave up to the Persian king '*all the Greek cities of Asia Minor, and the islands which are reckoned among its dependencies, to be held as tributaries*', as stipulated by this Peace.²⁹ It is noteworthy that both Plutarch and the author of the Book of Esther, in describing the signal success of Artaxerxes II, use exactly the same expression.

Esther
10. 1.

The passage: 'And the king Ahasuerus laid a tribute on the land and the isles of the sea', undoubtedly refers to the Greek part of Asia Minor and the islands which became tributary to this king, by virtue of the Peace of Antalcidas. It was concluded five years after the events narrated in our story. Our author does not say that Ahasuerus came into the possession of these territories by means of conquest. He was an historian, and knew that they were not acquired by force of arms but by diplomacy. Being well acquainted with the historical events of that period,

Esther
10. 2.

he was justified in saying: 'And all the acts of his power and of his might . . . are they not written in the book of the chronicles of the kings of Media and Persia?' These high terms of praise were well merited, and justly applied to the political achievements of this king. Artaxerxes II was indeed, from the Persian point of view, as Diodorus said, an earnest promoter and great lover of peace. By his famous 'Royal Peace', he freed his empire from its

²⁹ *Artaxerxes*, XX, XXI, 6.

hereditary enemies, gained valuable possessions, and deprived Greece of its independence, so that the Greeks themselves had hardly anything left worth fighting for. But from a Greek point of view the Greek was right who exclaimed: 'Alas for Greece, when the Lacedæmonians are turning Persians!'³⁰

Darius II died in the spring of 404 B.C.E. He had appointed his eldest son Artaxerxes as his successor. This appointment was not in accord with the precedent of Darius I, who had appointed his younger son Xerxes as his successor, because he was born in the purple. According to this precedent, Cyrus, the second son of Darius II, had a better claim to the throne, having been born after the latter had become king.³¹ It was also well known that Parysatis, the all-powerful queen, the mother of both Artaxerxes and Cyrus, was strongly in favour of her younger son. Hence Artaxerxes II, at the beginning of his reign, did not feel himself secure in the possession of the throne. He may have well remembered how Xerxes II, after a reign of forty-five days, had been murdered by his brother Sogdianus, and the latter in his turn, after several months, at the order of his own father Darius II. Thus fratricide was not unusual among the members of his dynasty. Cyrus, indeed, at the accession of his brother, on the occasion of his consecration at Pasargadae, designed to murder him. This design was frustrated by Tissaphernes. The tears and entreaties of his mother prevailed with Artaxerxes to pardon his brother for this crime, and he sent him back to Lydia.³² Soon after, despising his brother for his weakness for having let such a dangerous enemy escape, Cyrus again began to conspire against

³⁰ *Ibid.* XXII, 4.

³¹ *Ibid.* II, 4-5.

³² *Ibid.* III.

him. Artaxerxes was well aware of his designs, being warned of all his movements by Tissaphernes. But Parysatis made it her business to remove the king's suspicions.³³ Meanwhile Cyrus gathered a large army, and also wrote to the Lacedaemonians for assistance, making them great promises in case he should achieve his aim. In this letter he spoke in very high terms of himself, telling them that he had a greater and more princely heart than his brother; that he was the better philosopher, being instructed in the doctrines of the Magi,³⁴ and that he could drink more wine and carry it better (*οἶνον πίνειν πλείονα καὶ φέρειν*) than his brother.³⁵ This characterization of Artaxerxes II by his brother Cyrus is of the highest importance for the interpretation of the Book of Esther. Artaxerxes was indeed a weak character. He was not a good Zoroastrian, for under his reign the Zoroastrian religion was completely corrupted.³⁶ Finally, under the influence of wine, he was losing his senses.³⁷

Having made all preparations for carrying out his designs, Cyrus began his march against the king with a numerous army, among which were about thirteen thousand Greek mercenaries. He found one pretence after another for having such an armament on foot; but his real designs did not remain long undiscovered. For Tissaphernes went in person to inform the king of them.³⁸ Therefore on the march Cyrus openly declared his intentions to overthrow his brother and to seize the crown.

³³ *Artaxerxes*, IV, 3.

³⁴ Cyrus evidently meant to imply to the Greeks that the Magi would willingly assist him in his enterprise.

³⁵ *Artaxerxes*, VI, 3-4.

³⁶ See Chapter VI.

³⁷ See Chapter VIII.

³⁸ *Artaxerxes*, VI, 6.

This rebellion came to an end at the battle of Cunaxa in which his army was defeated and Cyrus lost his life. This battle occurred in October 404. Now it is well known that the Babylonian chronology is a year behind that of the Greeks and Egyptians. The latter had the system of *ante-dating*, that is to say, the year in which a king died is reckoned as the first year of the succeeding king, and with the civil New Year begins the second year of his reign. Accordingly Artaxerxes II, having ascended the throne in the year 404, the Greek chronology places the battle of Cunaxa in the fourth year of his reign. The Babylonians, however, had the system of *post-dating*, the year in which a king ascends the throne is given to his predecessor, while the first year of his own reign begins with the first of Nisan, on the New Year festival, in which the king had to seize the hand of Bēl-Marduk, in order to be recognized as legitimate king.³⁹ The Book of Esther was undoubtedly written in Babylonia, and according to Babylonian chronology, the year 404 in which Artaxerxes ascended the throne was reckoned to his predecessor Darius II, and his own reign began 403. Therefore the battle of Cunaxa occurred two years and a half after his accession to the throne.

Cyrus being dead, Artaxerxes II was at length firmly established on his throne. He could now in perfect security celebrate the long delayed coronation festivities, and at the same time the victory over his enemy. It was done in a magnificent fashion, befitting the rank of the Great King, and the signal occasion; he had saved his life and his throne. The description of these festivities is therefore by no means exaggerated, as all modern commentators

Esther
1. 2-9.

³⁹ Cf. Ed. Meyer, *Forschungen*, pp. 437-502.

contend.⁴⁰ This celebration lasted throughout the whole Winter, one hundred and eighty days. The battle of Cunaxa occurred, as we have seen, in October, and the festivities lasted from October to April.⁴¹ Satraps and governors, grandes and nobles, from all parts of the empire, not a few from a great distance, arrived daily and departed after a sojourn of a few days. Many who formerly favoured the claim of Cyrus may have hastened to the court to assert their loyalty to the victorious king. Plutarch states: 'There were turbulent and factious men who represented that the affairs of Persia required a king of such a magnificent spirit, so able a warrior, and so generous a master as Cyrus was; and that the dignity of so great an empire could not be supported without a prince of high thoughts and noble ambition.'⁴² All these guests had to be magnificently entertained. Besides these officials and nobles, the king feasted 'the army of Persia and Media' (חיל פרס ומדי),⁴³ that is to say, those loyal warriors who came to his assistance against his brother. It must have been a very large army, though the number nine hundred thousand, given by Xenophon,⁴⁴ and four hundred thousand, as stated by Ctesias⁴⁵ and Diodorus, is evidently exaggerated. After these festivities were over, Artaxerxes gave a special feast of seven days to the inhabi-

⁴⁰ Paton, p. 73, and numerous other exegetes, regard the gathering of nobles from all provinces for a feast of hundred and eighty days as intrinsically improbable.

⁴¹ According to Xenophon (*Cyropaedia*, VIII, 2. 6), Susa was the winter residence of the Persian kings.

⁴² *Artaxerxes*, VI, 1-2.

⁴³ Siegfried, Wildeboer, Paton, &c. believe that we have to read ושרי חיל פרס ומדי.

⁴⁴ *Anabasis*, I, 7, 11-12.

⁴⁵ *Pers.* 41; Diod. XIV, 5.

tants of the capital, that is to say, each day of the week a different part of the population was invited. It may have been the farewell feast before the king's departure from Susa, or the New Year festival in the month of Nisan. On the seventh day, when not in a sober condition, the king ordered the eunuchs to bring to the banquet his queen Vashti 'to show to the people and the princes her beauty; for she was fair to look on. But the queen Vashti refused to come at the king's commandment by the eunuchs'.

Esther
I. 10-12.

For the interpretation of this incident we again refer to Plutarch who tells us: 'Artaxerxes married a beautiful and virtuous lady, by order of his parents, and he kept her when they wanted him to put her away. For the king having put her brother to death, designed that she should share his fate. But Artaxerxes applied to his mother with many tears and entreaties, and, with much difficulty, prevailed upon her not only to spare her life, but to excuse him from divorcing her.'⁴⁶ Plutarch's source for this story is Ctesias who gives a more detailed account of this event in telling us that the whole family of Hydarnes, the father of Artaxerxes' wife, were put to death with the exception of the latter, on account of Teriteuchmes the son of Hydarnes, who had been found guilty of the crimes of adultery, incest, and murder.⁴⁷ We must bear in mind, that by opposing the will of his parents, Artaxerxes might have easily forfeited his right to the throne, to which his claim, as we have seen, was questionable. It was very dangerous for Parysatis to let a woman whose whole family she had destroyed, have the power of a queen, and she indeed exerted all her influence with the king to

⁴⁶ *Artaxerxes*, II, 2-3.

⁴⁷ *Pers.* 29.

deprive him of the succession. But Artaxerxes cared more for his wife than for the throne.

Plutarch tells us further that this wife of Artaxerxes was a great favourite with the people: 'What afforded the Persians the most pleasing spectacle was the queen riding in her chariot with the curtains open, and admitting the women of the country to approach and salute her. These things made his administration popular.'⁴⁸ This queen and her mother-in-law detested each other, and quarrelled continually. When Cyrus rebelled, the queen openly upbraided her mother-in-law for her intercession by which she had saved Cyrus's life, and accused her of favouring the claim of the latter.⁴⁹ When Parysatis executed in a most cruel way the faithful servants of the king who had killed Cyrus, the queen complained of her injustice and cruelty.⁵⁰ 'These expostulations fixed in the heart of Parysatis, who was naturally vindictive and barbarous in her resentment and revenge, such a hatred of the queen that she contrived to take her off. Deinon writes, that this cruel purpose was put into execution during the war; but Ctesias assures us, it was after it. And it is not probable that he, who was an eye-witness to the transactions of that court, could either be ignorant of the time when the assassination took place, or could have any reason to misrepresent the date of it; though he often deviates into fictitious tales, and loves to give us invention instead of truth.'⁵¹ 'It was only from the hatred and jealousy which Parysatis had entertained of the queen from the first, that she embarked in so cruel a design. She saw that her own power with the king

⁴⁸ *Artaxerxes*, V, 6.

⁵⁰ *Ibid.* XVII, 9.

⁴⁹ *Ibid.* VI, 6-7.

⁵¹ *Ibid.* VI, 8-9.

depended only on his reverence for her as mother ; whereas that of the queen was founded in love, and confirmed by the greatest confidence in her fidelity. The point she had to carry was difficult, and she resolved to make one desperate effort.'⁵² Plutarch further states that after Parysatis had managed to poison the queen, Artaxerxes inquired into the affair, and executed her principal attendants who assisted her to carry out this design. But 'as for Parysatis, the king did not reproach her with the crime, nor punish her any further than by sending her to Babylon, which was the place she desired to retire to, declaring that he would never visit that city while she lived.'⁵³ However, 'the king did not long retain his anger, but was reconciled to his mother, and sent for her to court ; because he saw she had understanding and spirit enough to assist in governing the kingdom, and there now remained no further cause of suspicions and uneasiness between them.'⁵⁴

The queen represented in the Book of Esther, her great beauty of which the king was so proud, her great influence with the latter that she presumed upon his love to disobey his behest, cannot be better depicted than by Plutarch's description of the queen of Artaxerxes, the daughter of Hydarnes. Only a woman like the latter 'would act like Vashti, openly daring to disgrace the king in the presence of the people, presuming upon his love for her to obtain pardon for her disobedience. The queen of Artaxerxes evidently lost her life shortly after Cyrus's rebellion. But Plutarch's description of the method of her assassination is rather fabulous, and the deed itself seems improbable. We can hardly imagine that Parysatis should have dared

⁵² *Ibid.* XIX, 1-2.⁵³ *Ibid.* XIX, 8-10.⁵⁴ *Ibid.* XXIII, 2.

to murder a queen with whom the king was so deeply in love, and that the latter should not have reproached her with this crime, and should have been reconciled to her after a short time. Plutarch himself refuses to accept Ctesias's account that Parysatis plotted against the queen and resolved to carry her off by poison, because at her own request the king promised not to put Clearchus to death, but afterwards, persuaded by the queen, he destroyed all the prisoners, except Menon, and observes: 'But it is a great absurdity in Ctesias to assign so disproportionate a cause. Would Parysatis, for the sake of Clearchus, undertake so horrid and dangerous an enterprise as that of poisoning the king's lawful wife, by whom he had children and an heir to his crown?'⁵⁵ Hence, if we should accept Plutarch's account that Parysatis out of hatred of the queen did undertake 'so horrid and dangerous an enterprise', we must assume that the queen's position had undergone some change, before she was murdered; that in the meantime some incident occurred which to a certain degree estranged the king from the queen. Parysatis, seeing that the love of the king for his queen was no longer so strong as before, and being afraid lest the latter should regain her former influence, resolved to murder her. The fact that the king, after a short banishment, recalled her, shows that she had not been wrong in her reasoning.

Plutarch further states, 'None had been admitted to the king of Persia's table but his mother and his wife; the former of which sat above him and the latter below him. Artaxerxes, nevertheless, did that honour to Ostanes and Oxartes, two of his younger brothers.'⁵⁶ This statement shows that it must have been a very rare privilege to dine

⁵⁵ *Artaxerxes*, XVIII, 4-6.

⁵⁶ *Ibid.* V, 5.

with the queen.⁵⁷ A special feature of his character was his great vanity, claiming credit for actions which he never did and for qualities which he did not possess. He was desirous of having the world believe that Cyrus was killed by himself.⁵⁸ When Mithridates, the real slayer of Cyrus, to whom Artaxerxes owed his life and throne, in an unguarded moment, under the influence of wine, boasted of his deed, he was put to death in a manner that beggars description.⁵⁹ Artaxerxes also put many grandees to death, because 'he thought that they despised him for the ill-success of his campaign.'⁶⁰

For the interpretation of the incident of Vashti, we must call attention also to another point. We have

⁵⁷ Plutarch's statement that none had been admitted to the king of Persia's table but his mother and his wife, is quoted by Paton, p. 150, as proof that it was not Persian custom to seclude the women, in observing: 'Stateira was present at the table of Artaxerxes'. Paton's quotation of Herodotus IX, 110, in support of his contention that Persian queens were present at the royal banquets, is just as incorrect. Amestris was at the birthday feast of Xerxes, but Herodotus clearly implied that the latter did not dine with the people, as it is incredible that Amestris would have dared 'to weary Xerxes by her importunity' in the presence of the people. Even Masistes, his own brother, was not present at his table, as he was afterwards called into his presence. Paton further quotes Herodotus, V, 18, where the Persian ambassadors say to Amyntas, king of Macedonia, that the Persians bring their wives and concubines to the feasts. But it is evident, as G. Rawlinson (*ad locum*) rightly observes, that the Persian ambassadors presumed upon the Greek ignorance of Persian customs, in order to amuse themselves with the foreign women. They had indeed to atone with their lives for their conduct, as Alexander, Amyntas's son, well knew the Persian customs, and divined their intentions. Paton and others overlook what Plutarch says about the Persians that they 'are so extremely jealous of their women, that capital punishment is inflicted, not only on the man who speaks to, or touches one of the king's concubines, but on him who approaches or passes their chariots on the road' (*Artaxerxes*, XXVII, 1).

⁵⁸ *Ibid.* XIV, 5.

⁵⁹ *Ibid.* XV, XVI.

⁶⁰ *Ibid.* XXV, 3.

already mentioned that under the reign of Artaxerxes II the baleful influence of the harem made appalling progress. The rule of the harem was indeed the main curse of the Persian empire. The king was a mere tool in the hands of his favourite wives. The most meritorious grandees fell victims to their intrigues. No Persian could regard himself for one moment secure, if one of the favourite wives or her family bore him ill will. Such a man, his life being in danger, was easily persuaded to conspire against the king or join an insurrection. The patriotic statesmen must have perceived that such a condition was disastrous to the existence of the empire, and were desirous of eliminating the influence of the women. We may also reasonably suppose that the feminine influence at the court set a bad example to all Persian families.⁶¹ These statesmen were wrong in believing in a remedy for an incurable evil. A man of weak character, be he king or beggar, will always yield to his wife's influence, for good or evil.

We return now to the incident of Vashti: The king, as we have seen, was deeply in love with the queen, and exceedingly proud of her beauty. Having been under the influence of wine—and from Cyrus's letter to the Lacedae-

⁶¹ Paton, p. 162, observes: 'The absurdity of the solemn edict commanding the wives to obey their husbands struck even the doctors of the Talmud'. The latter might have been right, if they had ridiculed the idea of making the husbands masters in their own houses by a royal edict. But in remarking that 'even the weaver is master in his own house', they were decidedly wrong. However, Paton and the rabbis overlooked the fact that the royal edict does not say anything about the obedience of the wives to their husbands, but merely contains the fundamental principle, 'that every man should bear rule in his own house', which of course gives the husband power also over his wife. Such a general principle is by no means ridiculous, since it formed one of the fundamental Roman laws, as set forth in the Twelve Tables, according to which the life and liberty of children were in the father's hands.

monians we learn that Artaxerxes II did not possess the Persian 'virtue' of being able to consume great quantities of wine without becoming intoxicated—the king commanded the queen to come and partake of the feast, that the guests might admire her beauty. The queen, however, being 'a virtuous lady', as Plutarch expresses himself, and well aware that that request was not in accordance with the Persian customs, properly inferred that the king in his right senses would never have made such a request, and rightly refused to show herself in the presence of an intoxicated crowd. Artaxerxes, exceedingly vain, and ashamed to admit that he was under the influence of his wife, 'was very wroth and his anger burned in him'. The thought might have occurred to him, having no authority in his own palace, how could he expect the people to obey his commands? The queen's disobedience could not pass with impunity.

'Then the king said to the wise men which knew the times and the next unto him , the seven princes of Persia and Media, which saw the king's face and which sat the first in the kingdom: "What shall we do unto the queen Vashti according to law, because she hath not performed the commandment of the king Ahasuerus by the eunuchs?"' The royal councillors to whom this question was addressed were well acquainted with the weak spots in the king's character and with his love for the queen. This question put them in a most embarrassing situation. Considering the queen's disobedience from a purely moral point of view, they could not but admit that under the circumstances her conduct was justifiable. Yet to defend her action would have been nothing short of high treason. The authority of the king was indeed at stake, if the queen

Esther
I. 13-22.

should be acquitted. It was the latter's duty to comply with the king's behest, even if it was not in accordance with the Persian customs. Besides, if we may believe Herodotus, the Persian kings were not bound by customs, as there was an ancient law decreeing that the king of Persia might do whatever he pleased.⁶² Moreover, it was not for the councillors to decide the guilt of the queen. The question put before them was merely concerning the punishment that should be meted out to her. This was a very difficult problem. They did not want to condemn her to death, lest after a short time the king's yearning for his lost queen might return, and they would have to atone with their lives for their judgement.⁶³ They feared the same fate, if they should propose her divorce, as nothing would prevent the king from marrying her again, if he still loved her, and the queen, after regaining her power, in her resentment against them, might easily bring about their destruction. If they should condemn her to the loss of the rank of a queen, it was probable that she would soon regain her former influence with the king, without the royal rank, and again would not fail to avenge herself upon them. Yet the latter course was the lesser evil and the only way out of this dilemma. Therefore, the councillors condemned her to the punishment of degradation for her conduct. But this queen, as we have seen, was a great favourite with the people. It was not enough to hold up the authority of the king, but also to demonstrate the justice of her punishment. Artaxerxes' administration

⁶² Herodotus III, 31.

⁶³ The Targumim indeed say that after sleeping off his wine-debauch and having grown sober, Ahasuerus executed the councillors who advised him to put Vashti to death.

was very popular, as we have seen, and they did not wish that by their advice the king should lose his popularity. Besides, no king at the beginning of his reign likes to gain the reputation of a tyrant. Hence, the councillors represented the queen's offence as a danger to the well-being of the empire, saying: 'Vashti the queen hath not done wrong to the king only, but also to all the princes, and to all the people that are in the provinces of the king Ahasuerus. For this deed of the queen shall come abroad unto all women, so that they shall despise their husbands in their eyes, when it shall be reported, the king Ahasuerus commanded Vashti the queen to be brought in before him, but she came not. Likewise shall the ladies of Persia and Media say this day unto all the king's princes, which have heard of the deed of the queen. Thus shall there arise too much contempt and wrath.' The councillors, therefore, advised the king to promulgate the degradation of the queen by a decree, in proposing: 'If it please the king, let there go a royal commandment from him, and let it be written among the laws of the Persians and the Medes, that it be not altered, that because Vashti came not before the king Ahasuerus, the king shall give her royal estate unto another that is better than she.' Such a decree would have the effect of making the lives of the Persians more secure at the court and more peaceful at home.⁶⁴ The

⁶⁴ The clause **וּמִדְבַּר כָּל־שָׂוֶן עָמוֹ** is generally regarded as corrupt. The rendering of the English version: 'and that it should be published according to the language of every people', is of course quite impossible. We have already mentioned that the Greek version omitted this clause (see Chapter I, n. 8). Bertheau-Ryssel, Wildeboer, Siegfried and others emend it, with Hitzig, to **כָּל־שָׂוֶה עָמוֹ** ('what suits him'). These commentators could have saved themselves the trouble of emending this corrupt clause, if they had seen how such a corruption might have occurred. We may assume

councillors of course could not mention the deplorable state of harem-rule at the court, but only the latter's effect: 'And when the king's decree, which he shall make, shall be published throughout all his empire, for it is great, all the wives shall give to their husbands honour, both to great and small'. This affair undoubtedly caused an estrangement and a bitter feeling between the king and Vashti. The former could not get out of his mind the humiliation he suffered in the presence of his subjects, and the latter was indignant at the injustice of her degradation. Parysatis, taking advantage of this state of affairs, resolved

that there were manuscripts in which the *'ammūdīm* ran in the following lines:

וישלח ספרים אל כל מדינות המלך
אל מדינה ומדינה ככתבה ואל עם ועם כלשונו
להיות כל איש שורר בביתו
אחר הדברים האלה כשוך חמת המלך.

We may further assume that some scribe misspelt the words *ועם כלשונו* or made a blot on them, and not having had the proper means handy to erase them, wrote the same words again underneath in the following line, after the words *להיות כל איש שורר בביתו*, as between the first and second chapters there was in all probability a free space. Subsequently, some copyist read *ועם כלשונו*, and understood the passage to mean: 'That every man should bear rule in his own house, and every people according to its own language'. But as the passage in this construction did not seem to give a proper sense, he may have changed the words *ועם כלשונו* into *כלשון עמו*, and by way of interpretation, added the marginal gloss *ומדבר*. Haupt (Critical Notes, p. 131), considers the whole clause a late gloss, since in Talmud Babli Megillah 12 b the passage 1. 22 is discussed, but there is no reference to this clause. But this fact is no proof at all that the rabbis did not know this passage. They did not discuss it, because it seemed to them incomprehensible. We cannot expect them to suggest that this clause was a gloss or corruption. Moreover, a suggestion that a gloss was added in post-talmudic times, when the Book of Esther had been already for hundreds of years one of the most esteemed canonical books, deserves no consideration whatever. Finally, a gloss is supposed to have some sense, and this clause has none at all.

to put her out of the way, lest the king might be reconciled to his wife and she regain her former power.⁶⁵

We are well aware of the fact that our interpretation is not in accordance with the text under discussion, which reads: אשר לא תבוא ושתי לפני המלך אחשורוש ומלכותה יתן המלך (‘that Vashti come no more before king Ahasuerus, and the king shall give her royal estate unto another that is better than she’). Accordingly, the text distinctly states that Vashti was actually divorced and not merely degraded from the rank of a queen. However, by a critical analysis of this passage we can demonstrate that the text here must be slightly corrupted. If the promulgation of Vashti’s punishment was intended to have a salutary effect upon the conduct of the Persian women for all times, we would expect to find in this edict ‘written among the laws of the Persians and the Medes’, the cause of her punishment. Furthermore, the second part of this passage is quite superfluous, it being a matter of course for the king to choose another queen, if Vashti was divorced, and cannot be a part of the edict; why should such a trivial fact be written among the laws of the Persians and the Medes? Nor can it have been the advice of the councillors, as this was unnecessary. The original reading of this passage may have been something like (על) אשר לא באה ושתי לפני המלך אחשורוש מלכותה יתן המלך (על) אשר לא באה ושתי לפני המלך ‘because Vashti came not before the king Ahasuerus, the king shall give her royal estate unto another that is better than she’; but the original reading

⁶⁵ Plutarch’s statement that shortly before the murder of Stateira, the latter and Parysatis had, in appearance, forgotten their old suspicions and animosities, and began to visit and eat at each other’s table, implies that the queen no longer interfered with her mother-in-law (*Artaxerxes*, XIX, 5).

אשר לא תבוא could also mean : 'because she will not come'. In either case, the text, according to our emendation, would contain both cause and effect, and be in agreement with our presentation of that incident. Vashti lost only her rank as queen, but still remained the lawful wife of Artaxerxes.⁶⁶

There is still another point to be discussed. The name of the queen of Artaxerxes II was not Vashti, but Stateira. Plutarch is no doubt right on this point, as Ctesias who lived at the court of Artaxerxes must have known the name of that queen. As far as the other Greek writers are concerned, all of them are more or less dependent upon Ctesias, and they took over the name of this queen from the latter. The name of the queen was indeed Stateira, but having been a famous beauty and a great favourite with the people, she was styled *Vashti*, which, as was recognized long ago,⁶⁷ means in the Persian language 'beauty'. In the memory of the people, her proper name was displaced by this epithet. We have a classic example of such a phenomenon in the name of the famous Greek woman who lived in Egypt under the reign of king Amasis. Her real name was *Doricha*, yet Herodotus and other classic writers call her by her epithet *Rhōdōpis*, 'the rosy-cheeked', though they knew that Sappho mentioned her by her real name.⁶⁸ Our author may likewise have known that the queen's real name was Stateira, and nevertheless preferred to call her by the widely-known epithet Vashti.

⁶⁶ Renan, in his *History of the People of Israel*, VIII, 15, note, is the only historian who conjectured that 'possibly there is some reminiscence of Stateira and Parysatis'.

⁶⁷ Cf. Richardson's *Ueber morgenländische Völker*, 1779, p. 166; Cassel, *l. c.*, p. 27, and Justi, *Iran. Namenb.*, under 'Wasti'.

⁶⁸ Herodotus II, 134-5, and cf. G. Rawlinson, n. 2, *ad locum*.

However, the possibility that *Vashti* is a hypocoristicon of a compounded name *Sta-teira* = *Asta-teira* = *Washta-teira*, which may mean 'the beauty of the god Mercury', ought also to be considered.⁶⁹

We have already observed that Plutarch is silent as to the immediate successor of the assassinated queen. Ctesias may have known nothing about it, as he left the court about 398 B.C.E.⁷⁰ But the former states a fact that

⁶⁹ The name *Stateira* is, according to Justi, *Iran. Namenb.*, compounded of the two elements *sta* and *teira*. The latter element is evidently identical with *tēr* in the Persian personal names *Teribazus*, *Teridates*, *Teriteuchmes*, &c., which is generally taken by Justi and others to be the Persian name of the planet Mercury (as god, the scribe of Ahuramazda, and identical with *Nabū*). The same divine element we may see in the names *Aghrimat-teira*, *Baeshat-teira*, and *Pairish-teira*. Doubtful, however, is the meaning of the first element *sta*. The latter occurs also in two other Persian names *Σταμένης* and *Σταβάκης*, the meaning of which is, according to Justi, doubtful. We suggest that the name *Sta-teira* corresponds to the Persian name *Vashta-teira*. The name *Vashti* is rendered in the Greek version into Ἀστιν and Ἀστι, in which the first radical is represented by a vowel. The same rendering is found also in other Persian names, as *Vidarna* = Ἰδέρνης, *Vindafarna* = Ἰνταφέρνης, *Vahuk* = Ὠχος, *Vashtak* = Ἀστάκτος, *Vaumisa* = Ὠμισος, &c. Lucian's rendering of *Vashti* into Οὐάστιν and that of Josephus into Οὐάστη are due to the Hebrew pronunciation of this Persian name. Now the element *asta* is actually found in several Persian names, as in Ἀστιβασας, Ἀστάσσης (Aeschylus, *Persae* 22), and Ἀστης. The same element we may see in the name Οὐαστόβαλος. We further find that a vowel at the beginning of a name was regarded as prothetic; so we find side by side the names Ἀσπαμίτης and Σπαμίτης, Ὑσπασίνης and Σπασίνης, Ἀφρὺδσα and Φρὺδσα, Ἀμὶρchwand and Μὶρchwand, Ὡρδάνης and Ὀρδάνης. Considering all these points, we may well assume that the Persian name *Vashta-teira* was rendered by the Greeks into *Asta-teira*, and by treating the first vowel as prothetic, was also pronounced *Sta-teira*. The Babylonians, however, shortened this compounded name by omitting the second element and by attaching to the shortened name the Babylonian hypocoristic termination *ī*.

⁷⁰ His departure from the court may have had some connexion with the banishment of Parysatis, who was a friend of Clearchus whom Ctesias so greatly admired (Plutarch, *Artaxerxes*, XVIII). The latter may have been her protégé.

somewhat seems to corroborate the incident of the second chapter of Esther: 'Artaxerxes had three hundred and sixty concubines, all women of the greatest beauty'.⁷¹ This reminds us of the gathering of the virgins for the selection of a successor of Vashti. Now, it is true, Diodorus Siculus tells us exactly the same about Darius III.⁷² And all Persian kings had a large number of concubines. But the current interpretation of the incident of the second chapter is erroneous. The royal harem could not have been maintained without having taken into it, either by force or with the consent of their relatives, the daughters of the subjects. From time to time such a harem had to be replenished and rejuvenated by younger women.⁷³ The advice about the gathering of the virgins was not an innovation under the reign of Ahasuerus, as such gatherings were customary in the Persian empire. The author of our story merely intends to inform us that on the occasion of such a gathering Esther became the queen of Ahasuerus. The latter, when his wrath was appeased, 'remembered Vashti, and what she had done, and what was decreed against her'. Remembering now that she was unjustly condemned and publicly disgraced, his love for her revived, and he mourned her loss. Among the women of his harem, there was none the equal of his lost wife in beauty and other qualities, who could replace her. Nor was there among the high nobility with whom the royal family was wont to intermarry such a woman to efface in the heart of the king the image of the former queen. Therefore

⁷¹ *Artaxerxes*, XXVII, 5.

⁷² Diodorus XVII, 8.

⁷³ See n. 12. Diodorus indeed alludes to such gatherings in saying that these three hundred and sixty women were the greatest beauties that could be found throughout Asia.

the courtiers advised the king that such a customary gathering of virgins should be held now—though the need of the harem may not have required it, or it may not have been the usual period for such a gathering—and among those gathered might be found one woman who would be in every respect equal to Vashti. It was by no means necessary that such a woman should succeed the latter as queen. But from the king's weak character it was a foregone conclusion that the latter would bestow on her the highest rank, if she succeeded in completely obliterating in his heart the memory of his former wife. The courtiers in saying: 'Let the maiden which pleaseth the king be queen instead of Vashti', may have alluded to the agreement of Darius I with the other conspirators, that the Persian kings should not marry outside of their own families, and advised the king to disregard this agreement, which under present circumstances became invalid; since of these noble families there was none worthy of taking the place of Vashti.

Of further interest for the character of Artaxerxes II is Plutarch's account of his return from the campaign against the Cadusians: 'He found on his arrival at his capital that he had lost many brave men, and almost all his horses; and imagining that he was despised for his losses and the ill-success of the expedition, he became suspicious of his grandees. *Many of them he put to death in anger, and more out of fear.*'⁷⁴ Though the expedition against the Cadusians took place in a later period of his reign, and therefore these executions have no connexion with our story, nevertheless this conduct sheds light upon this king's character. A king who puts to death many

⁷⁴ *Artaxerxes*, XXV, 5.

grandeens in anger, and more out of fear, was quite capable of executing his prime minister Haman, his sons and partizans, for the same reason. No less characteristic of this king is his treatment of Tissaphernes. The latter had saved his life at Pasargadae and watched all the movements of Cyrus, informing the king of his designs, as already mentioned. Plutarch calls him 'the most implacable enemy of the Greeks',⁷⁵ and thus, from a Persian point of view, he must have been the most ardent patriot. His final reward was to be executed upon charges preferred against him by his greatest enemies, the Greeks and Parysatis.⁷⁶

In support of our contention that Ahasuerus of Esther is identical with Artaxerxes II, we may call attention to the following fact. The French Archaeologist Dieulafoy describes the ruins of Susa, and demonstrates that the description of the palace of Ahasuerus in the Book of Esther is absolutely correct.⁷⁷ But the palace to which this scholar refers is not that of Xerxes but that of Artaxerxes II. The palace in which Xerxes and his successors resided had been destroyed by a fire and was rebuilt by Artaxerxes II, as the latter in his inscription informs us.⁷⁸ Who knows whether the palace of Xerxes, dating from an early period, was not in many points different from that given in our story?⁷⁹

We may mention also a remarkable statement of Bar Hebraeus in his *Chronicles*: 'This Artaxerxes (II) the

⁷⁵ *Artaxerxes*, XXIII, 1.

⁷⁶ *Ibid.*, 2.

⁷⁷ M. Dieulafoy, *L'Acropole de la Susa*, 1890.

⁷⁸ *Die altpersischen Keilinschriften*, p. 45.

⁷⁹ Paton, p. 65, also observes: 'The palace of Xerxes, as described in Esther, is not unlike the palace of Artaxerxes Mnemon, as excavated by Dieulafoy at Susa.'

Hebrews call Ahasuerus; and therefore Johanan was of the opinion that the story of Esther occurred in his days' (חנניה הנביא אשר חי בתקופת המלך אחשורוש).⁸⁰ This plain statement that Artaxerxes II was by the Hebrews called Ahasuerus must rest upon some tradition still preserved in the days of Bar-Hebraeus (*c.* 1250 C.E.). On the basis of this tradition, and for no other reason, Johanan suggested that the story of Esther occurred under the reign of Artaxerxes II, seeing in this story a similar phenomenon that the Ahasuerus of the Hebrew text is in the Greek version called Artaxerxes.

Having now sufficiently demonstrated that the king described in the Book of Esther was Artaxerxes II, we have to explain why the Hebrew text should contain a fictitious name. The solution of this problem may be found by a comparison of the political careers of the two Persian kings Xerxes I and Artaxerxes II, and by taking into account historical events in a later period of the Persian empire.

No nation cherishes the memory of a ruler by whom it was humiliated. The memory of Xerxes was no doubt detested by the Persians in a later period, after the passing of the Achaemenian dynasty, when they looked back at their glorious past, and could freely express their opinions about the happenings of those times. After four years of preparations, with enormous forces at his command, Xerxes was disgracefully defeated several times by the comparatively small army of the Greeks, and in consequence of these defeats, lost the Greek cities of Asia Minor, Thrace, and Cyprus. By these misfortunes Xerxes put

⁸⁰ *The Chronicles of Bar-Hebraeus*, p. 32.

upon the haughty Persians the stigma of cowardice. The later Persians could vindicate the honour of their ancestors only by laying the blame for these defeats on Xerxes, contending that they were not due to any lack of courage in the Persian armies, but to the misfortune of having been under the command of an incapable ruler. The disparaging description of Xerxes's personality by late classical writers may have had its source of information in the Orient. No Persian would have objected if Xerxes was represented as a weak character.

The condition of the Persian empire, as far as its foreign relations were concerned, exhibited under the reign of Artaxerxes II a sharp contrast to that under Xerxes. The memory of the former, who humiliated the hereditary enemies of the Persian empire and vindicated its honour, could not but be sacred to every Persian. The legend mentioned above, that in honour of Artaxerxes II, the Persians decreed that all his successors should bear the name Artaxerxes, must have its origin in the Orient in a period when the Persian history of the Achaemenian empire was no longer well known. The names Arses and Darius III, who succeeded Artaxerxes III, were sunk in oblivion. But Artaxerxes II was a name never to be forgotten.

The Persian empire overthrown by Alexander the Great was, after an interruption of about eighty years, resurrected in the year 248 B.C.E., though under another name, Parthia. The founders of the Parthian empire, Arsaces and Tiridates, and their successors traced their lineage to Artaxerxes II, and based upon it their claim as rightful heirs to the empire of the Achaemenians,⁸¹

⁸¹ See Justi, *Iran. Namenb.*, p. 28. Ed. Meyer (*Encycl. Brit.*, under Arsaces') says: 'A later tradition, preserved by Arrian, derives Arsaces

though this claim may have no real foundation. The representation of the alleged famous ancestor of the Parthian kings as a weak character, and the recital about him of uncomplimentary details in the Jewish sacred writings, was not without danger for the Jews in the East, and may indeed have been the cause of persecutions. We must bear in mind that the Parthian empire was established in the Alexandrian age, when the Jewish writings were being rendered into Greek. The Parthians were somewhat imbued with Greek culture. The Arsacids even founded Greek cities. When Arsaces Mithridates conquered Babylon, he assumed the epithet Philhellene.⁸² The hostile attitude of the Greeks towards the Jews in the second century B.C.E. was no doubt just as intense in the East under the Arsacids as in the West under the Seleucids. The presumption that Greeks actually accused the Jews of slandering publicly and annually the memory of the famous ancestor of the Parthian kings, whose name ought to be sacred to everybody, is very likely. Therefore the Jews were compelled to choose between two alternatives: either to suppress the Book of Esther altogether and at the same time abolish the festival of Purim, or to change it in such a way that it might not be offensive to the national feeling of the inhabitants of the Parthian empire. They naturally preferred the latter course, and substituted

and Tiridates from the Achaemenean king Artaxerxes II. But this has evidently no historical foundation'. This historian is no doubt right, if he means that this tradition is without historical foundation. But there can be scarcely any doubt that the Arsacids did claim to be the lineal descendants of Artaxerxes II. Arrian certainly did not invent this tradition. It would have been without historical analogy, if they had not claimed to be the descendants of an ancient royal family.

⁸² See Ed. Meyer (*ibid.*) and Justi, *Geschichte*, p. 148.

in the Book of Esther, for the name of Artaxerxes, the name of Ahasuerus (= Xerxes), which could be used with impunity.

The substitution of the name Ahasuerus was quite natural. Besides, the Jews had no other choice among the names of Achaemenian kings. Those of Cyrus and Darius could not be considered for this purpose, as they were sacred to the Jews, and even more so than to the Persians. The names of Cambyses and Arses were out of the question, as these kings did not rule twelve years. Nevertheless, the name they substituted is remarkable, as there is reason to assume that the proper name of Artaxerxes II was Ahasuerus. If this is true, it is either a coincidence, or the Jewish leaders in the East, in the second century B.C.E., must have known more about Persian history than we are willing to give them credit for. The name Artaxerxes was not a proper name, but a title, and means 'he whose empire is well fitted, or perfected',⁸³ which was assumed by the kings Artaxerxes I, II, III, on their accession to the throne. From an astronomical cuneiform tablet dated 'in the twenty-sixth year of *Arshu*, who is Artaxerxes' (*Arshu sha Artakshatsu*)⁸⁴ we learn that the proper name of Artaxerxes II was *Arshu*. This evidently confirms Deinon's statement that his name was Oarses. Plutarch, however, does not accept this statement, and observes: 'Artaxerxes at first was named Arsicas (or Arsaces), though Deinon asserts that his original name was Oarses. But though Ctesias has filled his books with a number of incredible and extravagant fables, it is not probable that

⁸³ See Ed. Meyer, *Encycl. Brit.*, under 'Artaxerxes', and Justi, *Iran. Namenb.*

⁸⁴ Strassmeier, in *Zeitschrift f. Assyriologie*, VII, p. 148.

he should be ignorant of the name of a king at whose court he lived, in quality of physician to him, his wife, his mother, and his children'.⁸⁵ But Plutarch did not know that both names, Oarses and Arsaces, are identical. The name *Arshu* = Arses = Oarses = 'man.' The suffix *ke(ka)* is a Persian hypocoristic termination.⁸⁶ Thus Arsaces (Arsicas) is a hypocoristicon of *Arshu*. But hypocoristic terminations, as a rule, are affixed only to shortened names.⁸⁷ What may have been the original compounded name of Artaxerxes? The name Xerxes = Persian *Khshayārsha* = Babylonian *Khi-sha-ar-shu* means 'a mighty man, warrior, hero'. It was not a title, like Artaxerxes, but a proper name. In antiquity, especially among the Aryans, a proper name was the expression of the bearer's personality.⁸⁸ The bearer of a name 'Mighty man' had to live up to its meaning, and could not be a coward. Both Darius I and Artaxerxes I gave the name *Khshayārsha* to the legitimate heirs of the throne. Darius II, though he had not yet been king at the birth of his eldest son, may have nevertheless imitated their example and named his first-born son *Khshayārsha*. But the first royal bearer of this name was murdered. When the same fate happened to the second royal bearer of this name, it may have become ominous. Besides, this name may have become unpleasant to the ears of Darius II, who occupied the place of his murdered brother, Xerxes II. Hence Darius

⁸⁵ *Artaxerxes*, I, 4.

⁸⁶ Justi, *Iran. Namenb.*, Einleitung.

⁸⁷ See *ibid.* It is quite possible that in a later period the name Arsaces was treated like a regular name and lost its hypocoristic signification. But the fact that Artaxerxes is called *Arshu* in the Babylonian document leaves no doubt that Arsaces was a hypocoristic formation.

⁸⁸ Cf. H. Ranke, *Die Personennamen i. d. Urkund. d. Hammurabi-dynastie*, 1902, p. 2.

may have shortened his son's name *Khshayārsha* to *Ārsha* and affixed to it the hypocoristic termination *ke(ka)*. But in official documents this name was written without the hypocoristic suffix.⁸⁹ The Jews who had many eunuchs at the Persian court, of whom some appeared to have been leaders in Israel, may have been better informed of these details than the Greek classical writers. These court stories may have been handed down, so that the original name of Artaxerxes II was still known in the second century B.C.E. and even later.

Outside of the Parthian empire, in Syria and Palestine, the original name Artaxerxes has been preserved in the Book of Esther. The rabbis, who fixed the Canon, aimed of course at uniformity of the Scriptures. But the Jews in the East could not accept the name Artaxerxes.—And there can be no doubt that the fixing of the Canon was done with the co-operation and approval of the Eastern rabbis, though we have no information whatever how this work was done.—Therefore the Western rabbis had no other choice but to accept the reading, Ahasuerus. Hence the Greek version which undoubtedly ante-dates the fixing of the Canon,⁹⁰ has the original name Artaxerxes. But the Lucianic recension made towards the end of the third century C.E. preferred the reading of the Hebrew text and rendered it *Ἀσούηρος*. Josephus follows as usual the

⁸⁹ We might even suggest that the title Arsaces of the Parthian rulers was not assumed in honour of the founder of this empire, but to assert their descent from Artaxerxes whose proper name was Arsaces. It is even possible that the very name of the founder of the Parthian empire was assumed in honour of his alleged ancestor. The former ruled only two years, and his dominion was insignificant, as it was limited to his native land Parthia.

⁹⁰ Cf. Chapter I, n. 9.

Greek Version and has the correct name Artaxerxes, but identified this king with Artaxerxes Longimanus.⁹¹

⁹¹ Josephus may or may not have known that the name Ahasuerus in the Hebrew text was due to 'the correction of the Scribes' (תקון סופרים). But this question is quite irrelevant, as his chronology of the Persian period is not to be relied upon. In presenting Ezra as a contemporary of Xerxes Josephus follows neither the Hebrew nor the Greek text. This error is no doubt due to his wrong identification of the king of Esther with Artaxerxes Longimanus. The latter, according to Ezra 7, was very favourably inclined towards the Jews in the seventh year of his reign. Therefore it seemed to Josephus incredible that the same king should have decreed five years later their destruction, and he concluded that the king of Ezra was Xerxes.

(To be continued.)

THE RESPONSA OF THE BABYLONIAN GEONIM AS A SOURCE OF JEWISH HISTORY*

BY JACOB MANN, Jews' College, London.

II. THE POLITICAL STATUS OF THE JEWS.

AFTER having discussed the extent of the influence the Geonim had over the Jewries of the various countries of the diaspora, an attempt will be made in this chapter to describe the political status of the Jews. In the light of the material the Gaonic responsa furnish, we shall consider in particular the relation of the Jews to the secular authorities and to their non-Jewish neighbours, their attitude towards the non-Jewish courts, and finally their treatment of their slaves.

(a) It is generally assumed that with the advent of the Arabs to 'Irâk (637-43) the Jewish ecclesiastical authorities, the so-called Bêt-Din that existed in most of the Jewish communities of 'Irâk, and the members of which were appointed either by the Exilarch or by the Geonim, continued to have full autonomy and could act entirely in accordance with the Talmudic law. The Gaonic responsa, however, show that the Muslim conquerors encroached occasionally more or less upon the sphere of activity assigned to the Jewish courts or the Jewish communal leaders. The first innovation the Geonim had to make not long after the Arab conquest of 'Irâk was in all probability due to such an interference on the part of the Arab rulers. Sherira in his *Letter* (p. 35) states that the Geonim

* See vols. VII, 457-90, VIII, 339-66, IX, 139-79.

against the ruling of the Bêt-Din. The case (ש"ת, No. 182, see *Einleit.*, 21 note) deals with a Jew that committed some transgression on the Sabbath for which he was to be flogged, and the fear is expressed that he might escape and try to obtain the protection of the non-Jewish court or of some influential Arab (ויתלה עצמו ביר גוי, see also גמ"מ, No. 146, and ה"פ, No. 135). This decree about a 'defiant' wife (מודרת) which was promulgated soon after the conquest of Babylon by 'Omar probably applied to this country only. We have the evidence of Maimonides that it was not accepted by the majority of the Jews.¹⁸²

A question that very frequently occupied the Jewish communities as a whole was the assessment of taxation. Generally the whole community of a district was made responsible for the entire amount of taxes that was imposed upon it. After the conquest of 'Irâk and Syria by the Arabs under 'Omar, the Arab conqueror in organizing the new state fixed a poll-tax for all non-Muslims (جَزَاءَ), certain burdens in connexion with the quartering of Muhammedan soldiers,¹⁸³ and a graduated land tax (خَرَاجَ), see Aug. Müller, *ibid.*, I, 272). This organization of the state by 'Omar was probably adopted by the Arabs after their conquest of North Africa and Spain. As regards Babylon, Graetz assumes that the Exilarchs were responsible for the taxes which were collected from the Jews (V⁴, 131 and 435-6). But from the responsa it appears that the Arab authorities collected the taxes directly from

ולא פשטו אותם המנהגים ברוב ישראל: 4¹⁴, ה' אישות, יד החוקה ¹⁸²
ורבים וגדולים חולקים עליהם ברוב המקומות.

¹⁸³ Probably R. Natronai refers to this in a responsum in תש"ר, II, 20, 1. 12: ומותר להוציא למלך מאכל בשבת ובחג מפני הסכנה, based on Beṣah, 21 a. See also Aug. Müller, *ibid.*, 274.

the Jews. The Gaon R. Sheshna of Sura (before 1000 Sel. = 689 C.E.) writes in a responsum that 'if the ruler or the tax-collector sends to the community and enjoins the pronouncing of a ban in his interest, and it is impossible to disobey on account of the compulsion, this tax that was imposed by means of the ban is not binding. But if they impose an oath, the community should refuse to administer the oath to the person concerned'.¹⁸⁴ This responsum shows that the authorities availed themselves of the coercion practised by the Bêt-Din for their own purpose, and thus in order to obtain a true estimate of a man's taxing-power, they ordered the Jewish courts or the communal leaders to announce a ban against or impose an oath upon a Jew for this purpose. The Gaon to whom this responsum is assigned was one of the earliest Geonim whose sphere of influence probably did not extend beyond Babylon and Persia, and we may therefore assume that the responsum refers to the conditions that existed in these countries alone. The Gaon's opinion is that the enforced oath should not be administered by the communal leaders and that the ban, though announced, would be rendered null and void, in order to counteract the extortions of the authorities. The tax-collectors mentioned in this responsum were certainly non-Jews. Had they been Jews appointed by the Exilarch, or by the communal leaders,

¹⁸⁴ ושלטון ובעל מכס שמיגרין בקהל להחרים בשביל צרכיו וחפציו ואי אפשר שלא להחרים משום אונסא אותו מכס שהחרים אינו כלום ואין לחוש לו אבל שבועה שמיטביע מלך או שלטון או בעל מכס אסור להשבע לו (ש"ת, No. 195; ה"פ, No. 121; חש"ר, I, 49, No. 13; ג"י, No. 26, and ג"מ, No. 26). Cp. also ג"י, No. 40. This R. Sheshna was certainly the Gaon and not the father of the Gaon 'Amram (856-74) of whose official capacity as a scholar to whom questions were addressed nothing is known (see also Weiss, *ד"ר*, 9, note 15).

to collect the taxes, the Gaon would not have decided against them.¹⁸⁵ The whole tone of the responsum shows that the authorities were extortionate in their coercion of the Jewish community. In the same responsum is also mentioned the case of a Jew that was executed, and his property confiscated. Thereupon the authorities enjoined the Jewish communal leaders to announce a ban against anybody that concealed some money of the criminal in order to preserve it for his heirs, instead of handing it over to the authorities. In the time of R. Naḥshon of Sura (874–82) we learn that the taxes and impositions weighed heavily upon the Jews in Babylon. On a question, that came probably from some community abroad, whether the scholars should be asked by the community to contribute their share to the amount of the taxes due to the government, the Gaon answers that ‘though the king and his councillors impose taxes without a limit and make the burden still heavier upon the community’, yet the scholars should not be taxed.¹⁸⁶ Probably the Gaon reflects here the deplorable state the Jews of Babylon must have been in, especially during the period of the decline of the ‘Abbasid dynasty after the death of Mutassim in 842 (see Aug. Müller, *ibid.*, I, 523 ff.).

In the communities outside Babylon, in Palestine, North Africa, Spain, and southern France, we learn from the responsa that fixed amounts were imposed upon whole communities, and the communal leaders had the task and

¹⁸⁵ Cp. גמ"מ, No. 10 : when the community collected the taxes and one of the members declared that he possessed nothing, he was adjured.

¹⁸⁶ הכי חזינא שאע"פ שמשליכין המלך ושריו זמיונות : ג"ה, No. 537 . . . בלי חק ומדחיקין ומכבידין עול על הצבור אסור לקח מן הרבנים . . . כלום.—About the great number of taxes that existed under the Abbasid caliphs, cp. Kremer, *l. c.*, I, 278, and II, 488 ff.

the responsibility to assess each member of their community in accordance with his economic position. Thus the people of Tlemsen style their late communal leader 'the eye of the community and the first in every charitable affair as well as in the taxes and the impositions exacted from the community'.¹⁸⁷ Often disputes arose in the communities as to who should contribute the most, whether the traders or the people who owned landed property, as we learn from responsa of French scholars, contemporaries of Sherira and Hai (see גמ"מ, Nos. 165 and 205). In גמ"מ, No. 165, it is also stated that the community had to collect an amount of money for bribing the officials not to expose them to extortion and oppression.¹⁸⁸ That the extortions of the authorities in the district of Kairouan became intolerable in the time of Sherira and Hai we can gather from a responsum of theirs preserved in ג"ה, No. 346 (cp. *Geon.*, II, 5). A Jew was much harassed in his place of residence by penal impositions, and he could not leave the town as his wife would be arrested instead and treated in a similar way. Accordingly people advised that Jew to write a bogus document of divorce to his wife, in order that she should be able to take possession of her husband's property as being her dowry, and her husband be at liberty to escape.¹⁸⁹ It is expressly stated that some of the towns-

. . . וידוע שהוא : ג"ה, No. 37, by R. Hai : תש"ר, II, 31, No. 9 =
 —עין העדה וראשון לכל דבר בין בצדקה בין בעונש והפסד הנגבה מן הקהל
 'fine', was then the usual expression for tax. See גמ"מ, No. 10 :
 עונש
 ובשבא לנכות ממנו כוס למלך אמר אין עמי כלום שתענישני עליו

ובן להשתוות בהשגרה שמשחידין לסלק האונס מעליהם.¹⁸⁸

¹⁸⁹ ראובן היה מצטער הרבה מעונש השלטון וכשהיה יוצא מעירו תופסין
 את אשתו במקומו ומצערין אותה. מחמת העונש יעצוהו מקצת בני אדם
 לכתוב גט פסול לאשתו ולאחפושה כל מקרקעי שיש לו בכחובתה ולצאת

people used to avail themselves of such devices in order to escape the impositions of the governor. That such devices had to be used is sufficiently eloquent of the position of the Jews in those districts. The screw of taxation was made more and more tight, so that people were compelled to leave their places of residence. A similar case is reported in another responsum (תש"ר, II, 58, No. 7). Jews who had to flee from their town, settled in another place where they were taxed by the Jewish community. But now the members of their former community bring forward claims against them, because they had undertaken in common the responsibility for the taxes. In the responsum it is stated that the authorities would exact the amount assessed irrespective of the actual number of the members of the community.¹⁹⁰ In Palestine also, under the rule of the Egyptian dynasty of the Fātimids, the burden of taxation weighed heavily upon the Jews. In a letter to Ephraim b. Shemarya, head of the Palestinian synagogue of Fustât, the Jewish community of Jerusalem complain that they 'suffer the yoke of the non-Jews who put all burdens' upon them. Though there was a famine

כדי שלא תהא אשתו נתפשת תחתיו, ויש מבני אותה העיר שעושין כן להבריה את עצמן מעונש השלטון. . . . This responsum belongs to the group of responsa sent to Kairowan in 991 c. E. (ג"ה, Nos. 345-50, see p. 179, note 1). It is interesting to note that the authorities did not confiscate this man's estate on his departure from the town. Further, the document of divorce, גט, seems to have had legal recognition in the eyes of the authorities, and the wife was allowed to take possession of her former husband's estate in lieu of her dowry (כתובה), in precedence to the claims of the authorities.

שהגויים אנסים הם וכיון שברחו מקצתן מכבדין עול על הללו ישראל¹⁹⁰ שנותרו ונוטל מם כולו. This responsum is seemingly by R. Hai like the one preceding it. Müller, *Einleit.*, 34, note (last line) assigns it without any proof to R. Isaac the Tosafite.

in the country, the Jewish community had to find the usual amount of taxes imposed by the government, and had thus to appeal to their compatriots in Egypt for support.¹⁹¹

Several responsa deal with confiscation of money and property belonging to Jews, and with other kinds of interference on the part of the authorities. In some cases it may have been due to the punishment inflicted upon individual Jews that transgressed the law of the country (see ש"צ, 34 b, No. 5 and 41 b, No. 38 by Saadya ; ג"י, No. 3 ; ג"מ, Nos. 9 and 109 ; גמ"מ, No. 189). Some interesting points are contained in a list of headings of responsa quoted by Müller (*Einleit.*, 53, note) from a Parma MS. Non-Jews give evidence against Jewish young people about their indecent behaviour, and the governor appoints a Jewish official to collect the fines he imposed upon these young Jews, while granting this official a commission of ten per cent. Informing amongst Jews was an evil rampant in those times which often endangered the lives of many Jews while causing still further material loss. Accordingly the Bêt-Din and the communal leaders dealt very severely with informers. Anybody that suffered from denunciation could pronounce a ban against those that denounced him to the authorities (see ג"ה, No. 333, end, by R. Hai ; גמ"מ,

¹⁹¹ Geniza Letter (published by Cowley, *JQR.*, XIX, pp. 107-8, and also by Wertheimer, גנוי ירושלים, II, 17) : אחיך כת הרבנים היושבים : גנוי ירושלים, II, 17) : בעיר הקודש הבת העלובה העצובה הכאובה אשר אנחנו סובלים עול הנזים ועומסים כל טורח . . . ולא נבחר ממך יקירנו כי בשנה הזאת היו החוגגים מעט במספר ואשר קבצוהו לא היה בו כדי העונש אשר עלינו בכל שנה והוצרכנו ללוות מה שנשאר ולא די לנו הענשים אשר אנו שוקלים בכל שנה עד אשר היכנו צורנו במכת הרעב לא נמצא דבר בל (בכל r.) ארץ פלשתים והעניים הרבים ואנו פוחדים מן המס . . .

No. 193, by R. Joseph Ibn Abitur, and No. 195, end).¹⁹² One of 'Omar's decrees was that a non-Muslim should

192 No indication is to be found in the Gaonic Responsa, as far as they are extant, that informers were sentenced to death by the Bêṭ-Din in conjunction with the communal leaders. The responsa of the contemporary Spanish scholars also show no trace of this penal procedure. It is therefore surprising to find this drastic treatment of informers quite general among the Jewish communities chiefly in Spain. The first authority mentioned as having inflicted capital punishment on an informer, is R. Joseph Ib. Migash of Lucena, the disciple of Alfasi (see R. Juda b. Asher in זכרון ושמענו שסקל ר"י הלוי בן מיוש למסור אחד באולסנה: f. 55: יהודה f. 55: 'ביוהב"פ יחל להיות בשבת בשעת נעילה. Maimonides, writing in Egypt, also refers to this punishment as quite usual in the 'towns of the West' (בערי המערב), i. e. Spain and Morocco, which latter country contained then many Spanish Jews (ה' חובל ומיוק, יר החזקה, VIII, 1). Highly important is the letter of Solomon b. Aderet concerning the case of an informer in Barcelona (published by Kaufmann, *JQR.*, VIII, 1896, pp. 228 ff., where he also discusses this question of Jewish informers in the Middle Ages on pp. 217-28). See further the important responsum of Asheri in ש"ת הרא"ש, XVII, 1. On the whole, the material available tends to show that chiefly in Spain informers paid the penalty of death for their denunciations. There the communities seem to have had the permission of the secular authorities for such a procedure. Altogether in Spain the communal leaders seem to have been invested with very great powers, amounting even to the right of inflicting capital punishment in some cases; a fact that greatly astonished Asheri when he came from Germany to settle in Toledo, as he writes in the important responsum ש"ת הרא"ש, XVII, 8. Whether in the Gaonic period the Jewish communities anywhere in the diaspora, including even Spain, possessed such rights, is very doubtful. It is certainly surprising that in the numerous Gaonic responsa no mention is made of such formidable authority vested with the communal leaders. See further תשובה מ"ש ר"ה: ed. Bloch, p. 208, No. 137: תשו' מהר"ם, אבל דמינין ומסורות אין הורגין אותם בידים נ"ל דדוקא שלא בשעת מסירה אבל בשעת מסירה מותר להורגן בידים. . . בין בשעת מעשה ובין שלא בשעת מעשה מותר להסית את הגוי להורגו ויש מי שאוסר אחר מעשה להורגו. . . ומורי הר' יעקב בן מורי הר' יצחק דחה זאת הראיה. This responsum deals with conditions in Germany, where it seems informers were removed with the assistance of non-Jews (cp. further, *ibid.*, p. 50, Nos. 313 and 317). המוסר ממונם, 182, מ"מ. In view of the above remarks, the responsum in

suffer capital punishment in the case of his having spoken disparagingly of Muhammed and his religion (see Aug. Müller, *ibid.*, I, 273). A member of the Exilarch's family, who was to succeed the well-known David b. Zakkai, was denounced in Nisibis for such an offence and suffered the penalty.¹³³ From a responsum we learn further that if a Jew was converted to Islam and then repented and returned to his former religion, he had to flee to another place where he would be unknown, else he forfeited his life.¹³⁴

On the whole it may be assumed that a Jew found some protection on the part of the authorities and Courts against robbery and oppression by non-Jews. This was more or less the case both in Muhammedan and Christian countries. The responsa supply proofs for this assumption. Thus we read in a responsum of R. Şemah (probably of Pumbedita, 872-90) about a Jew that traded in Egyptian towns, and while attempting to ford a river was drowned. When the relatives searched for the body, the non-Jews living by the side of the river gave evidence that they had seen the body floating but they did not pick it up for fear

של ישראל למלכות בפרהסיא והתרו בו הזקנים פעמים הרבה ולא חור
אלא מעיו ומוסר ומצטער לקהל ויש בידנו להרגו מהו מותר . . . אי
לא? תשובה על הריגתו אינו חולק דמותר להורגו בו בכל מה שנוכל . . .
is very likely not by a Babylonian Gaon but by a Spanish scholar.

ולא נמצא באותן : 133 Report of Nathan the Babylonian (Neub., II, 82-3) :
הימים מי שהיה ראוי להיות ר"ג אלא איש אחד שהיה מבני הימן שהיה
בנציבין ולא הספיקו למנותו עד שאירע לו דבר שנתקוטט עם גוי אחד
בשוק והעירו עליו שקלל את הפסול ונהרג.

. . . ואין : 134 26 b, No. 28, by R. Moses of Sura, 832-43 C.E. :
מחיבין אותו לחזור למקום שמכירין אותו שהכל יודעין שאם חור ל"ם
הורגין אותו . . .

of the governor.¹⁹⁵ Probably they were afraid lest the authorities would accuse them of having murdered this Jew. As regards a Christian country, we see that R. Meshullam in גמ"מ, No. 188, decided in a case where non-Jews forcibly deprived Jews of their estates, fields, and vineyards, and afterwards other Jews took over from these robbers their spoil, that since there were non-Jewish courts and authorities with whom the plundered Jews could have lodged their complaints, they had relinquished their right of ownership by not taking legal proceedings and allowing other Jews to recover their property from the robbers.¹⁹⁶ But frequently in disturbed times the authorities were powerless or callous about giving protection to Jews against thefts and robberies. Two responsa supply us with highly interesting material. Correspondents from probably some North African community write to Sherira (ש"צ, 32 a, No. 20) concerning the case of a Jew that lost something or other, or was robbed by non-Jews, and afterwards another Jew bought back the stolen goods from these non-Jews, of course much below their value. Now the owner claims back his goods and intends paying back the other man's outlay. In the long argument which the owner of the stolen or plundered goods uses, three characteristic alternatives are enumerated as to how a Jew of those times could make good his loss. Either he finds out the culprits and brings them before the governor or the non-Jewish courts. Or he strikes a bargain with the

¹⁹⁵ אבל היינו מתיראין להעלותו מן הנהר לקוברו מאונס : ח"ג, No. 27. השלטון.

¹⁹⁶ . . . הכא נמי ביון דאיכא אנריאות וערכאות של גוים ולא קביל . . . אחולי אחיל גביה ונתייאש מהן . . . Cp. also the responsum of Elhanan b. Hushiel (above, IX, 171 ff.).

brigands to return him at least a part of his belongings. It is stated in the responsum that other Jews had to do likewise. The third alternative would be to parley with the elders and influential people amongst these brigands and persuade them by bribes to recover the stolen goods. Though there were prohibitions by the governors against stealing and robbing as well as against buying such goods, it seems that this 'trade' flourished considerably. The Jewish communities, long before the time of this responsum, had to make an institution that the owner of the lost, stolen, or robbed property should be entitled to recover it from the Jewish buyer after paying back his expenses. This institution was common to all communities in that district, which shows that robberies and thefts must have been of very frequent occurrence.¹⁹⁷ From the answer of the Gaon we gather that this institution was unknown in Babylon. Accordingly the responsum refers to the conditions outside 'Irāk, probably in some North African district. In the other responsum in ג"ק, No. 93 (perhaps by R. Meshullam, see Müller, *Einleit.*, 25, note) we find Jewish business-men

ועבשיו אתה מבקש לשנות את מנהגינו והלא רוב הקהלות כולם¹⁹⁷
 אינם רוצים לשנות את מנהגם בשביל שהלסטין והגנבים מצויין במקומינו
 בכל יום ויום בין בדרכים בין במדינות. ובשביל זה נהגו אבותינו כן כדי
 שלא יאבד ממונם ויבואו אחרים ויטלו ממונ חביריהם ובאין לידי מריבות
 ספינה שטבעה בים והצילו מן הסחורה: ג"מ, No. 42.—See also
 ההיא נזים או שיררה שבאו עליה ליסטין מוויינים והיו בהם משאות וסחורות
 של ישראל ומכרום אותן הגוים לאותן הסחורות לישראל אחרים והכירום
 הבעלים בידם יש מן הדין לתת הבעלים ללוקח הדמים שנתן ויקח ענייניו
 או לא? This responsum which is assigned in Pardes, end, to Rashi
 (cp. Müller, *Einleit.*, II, note) is quoted in שב"ה, II, § 148, fol. 167 a
 [Cat. Montefiore Library, 33, No. 128] as תשובת רבינו האי נאון. For the
 last reference I am indebted to Dr. Büchler.

taking the law into their own hands and paying back in the same coin to non-Jewish traders who constantly spoliated and harrassed them. 'A Jew said to a co-religionist, The people of the town N. have captured our city and have robbed us. Now the traders of that city usually go to the town, wherein you reside, for business purposes. If you can spoliolate them by the authority of the rulers of your town, do it and let me have the spoil. But the other Jew answered, Were I able to make these traders pay the penalty, I should do it myself, because I have also lost a great deal in their town. At length it happened that once these traders came with their goods to the town of the second Jew, and he, risking his life, fleeced them after bribing the authorities of his town.'¹⁹⁸ The Jew seeing that no redress was to be obtained from the authorities, especially when towns were on the warpath against each other, had to risk his life and procure retribution for himself.

Several responsa tell us of towns sacked wherein Jews lived and also of cases of exile, either of whole communities or of individual Jews. Unfortunately only a few of these responsa can be adequately identified. R. Meshullam must refer to some upheaval in Lucca and the surrounding places when he writes at the beginning of his responsum (ק"נ, No. 61), 'May God in his great mercy relieve us in distress and put an end to the upheavals among us, our

¹⁹⁸ ועוד ישראל שאמר לחבירו אנשי עיר פלוני כבישו את עירנו וישללנו, והתגרין של אותה העיר הולכין לסחורה לעירך. אם תוכל לשלול אותם בכח שרי עירך טול מהם ותן לי. ואמר לו אותו ישראל אם הייתי יכול לשוללן הייתי שולל אותם לעצמי שגם אני הפסדתי שם כמה ממון. וכשהלכו שם תגרי אותה המדינה שם אותו יהודי נפשו בכפו וישללום. בחזקת הגוים שיחדם בממון. . .

brethren and the children of our congregations.¹⁹⁹ Above (VII. 484) we had the case of the town of Nefusa that was sacked and burned by the enemy. Another responsum tells us of an Arabic commander of an army who entered a town and captured many women, Jewish and non-Jewish. These captives had afterwards to be ransomed (גמ"י, No. 47, see Müller, note 1).²⁰⁰ Another responsum (ג"ק, No. 51, probably by R. Meshullam, see *Einkcit.*, 25, note) tells us further of a town that was sacked and all the inhabitants were led away as captives, with the exception of one Jew who escaped. From the responsum it appears that this Jewish community was not long after reorganized. In גמ"י, No. 153 (probably by some French or Italian scholar, see Müller, note 1) we read of the exile of Jews from a whole district. Before the exile a Bêt-Din existed there, and thus there must have been an organized Jewish community in that town. The estates of the exiled Jews were not confiscated, and from the lawsuit it appears that the children of these exiles returned to their former place of residence and could take possession of these estates. Perhaps this responsum refers to the banishment of the Jews of Limoges in 1010 C.E. (see Gr. V⁴, 380), where the bishop of the town had Christianity preached to the Jews for a whole month, and when this was of no avail, had them exiled. We learn further of Jews of Tlemsen that were exiled to Ashir but their property was not confiscated

והוא ברחמיו הרבים ירחיב לנו בצר ויכלה התשואות ממנו ומאחינו ומבני קהלינו. See above, VII, 487.

²⁰⁰ Asheri, *Responsa*, XXXII, 5, quotes this responsum as follows: מצאתי בס' אור זרוע כתב יד ה"ר שמואל הלוי מוירמשה בס' בשר על נבי נחלים תשוב' רב פלטי וז"ל הנאון, לנין הנמון בא לעיר ושהה נשים הרבה ממויות ויהודי' כהנת ביניה' וכו'. Accordingly only one Jewess was among the captives. The same reading is often found in the *Responsa* of R. Moses Alashkar, no. 95 (ed. Sabionetta, 1553, fol. 151 b).

Sitzungsberichte der Wiener Akademie der Wissenschaften, vol. 163). But on the whole the Jew's life among his non-Jewish neighbours must have been precarious and exposed to dangers. We find the Geonim adopting the maxim, as found in the Talmud, that 'a non-Jew generally is an extortioner' (נמו"מ, סתם גוי אנסא הוא) (No. 101, by R. 'Amram; ג"ה, No. 242, by Sherira or Hai to the Ḳairowan Jews). Characteristic is the statement by R. Natronai of Sura, 853-6 C.E., in a responsum, to the effect that 'generally if non-Jews get hold of a Jew's money they have no pity'.²⁰¹ It must have been sad experience only that made the spiritual leaders of Jewry view the non-Jew in such a light. Thus it is only natural that the Jews disliked having non-Jews as their nearest neighbours, for fear of violence. Jews preferred to live by themselves in special quarters. This tendency helped to erect the Ghetti which later on, in the times of persecutions, were made obligatory on the Jews. The Talmudic law was that if a Jew sold his field or house to a non-Jew, his Jewish neighbours could force this Jew to undertake the responsibility for any harm their new non-Jewish neighbour might do them. This law we find in full practice in the Gaonic period as several responsa show (cp. ש"צ, 33 a, Nos. 21 and 22 (cp. ג"מ, No. 142), probably by Sherira; נמו"מ, No. 19, by R. Ṣemaḥ to Ḳairowan; נמו"מ, No. 158, anonymous: a whole quarter inhabited by Jews). Yet some responsa tell us of Jews living promiscuously with non-Jews and knowing the affairs of each other (see נמו"מ, No. 95). A responsum mentions that all the inhabitants of a town, including the Jews, were dressed alike as soldiers (נמו"מ, No. 69). Another

²⁰¹ Pardes 24 c: כיון דאמר סתם גוי אנס הוא וממוון של ישראל ביון : שנופל ביד אומות העולם אין להם חנינה (cp. B. ḳamma 117 a).

responsum tells us of a case of a Reader (חזן) who was immoral, and the non-Jews were blaming the Jews for retaining such a man as their reader in the synagogue (גמ"ז, No. 17, probably by R. Joseph Ibn Abitur; see also above, p. 128). We find further cases of Jews who in trying to exact monetary claims from co-religionists by violence would hire non-Jews and instruct them to waylay their victims and extort whatever they demanded (גמ"ז, No. 22, by Saadya; ג"ה, No. 39, to Tlemsen, see *Einleit.*, 39, note).²⁰² All these disconnected details scattered here and there in the responsa give us some glimpse of the mutual relations between Jew and non-Jew in these times.

(c) A point of much interest is the attitude of the Jews of the Gaonic period towards the non-Jewish courts. It is only natural that a non-Jew when having a claim against a Jew would summon him before the non-Jewish court. A gentile generally distrusted the Bêt-Din (see ג"ה, No. 324, by R. Hai to K̄abes; ג"ל, No. 40, by R. Hai; גמ"ז, No. 153; No. 204 by Ḥanok b. Moses). Likewise a Jew had to summon a non-Jew before the secular courts. The Bêt-Din had certainly no power of coercion over a non-Jew (see, e.g. גמ"ז, No. 102 by Sar Shalom of Sura, 849-53 C.E.; Nos. 201 and 204). But as regards disputes that arose between Jew and Jew, the Geonim as well as the communal leaders strongly disliked any attempt to bring these disputes for settlement before the non-Jewish courts instead of the Jewish ecclesiastical court, the so-called Bêt-Din. There were many affairs that could not be divulged before courts frequently hostile. The screw of

²⁰² Müller, *Einleit.*, 53, note, quotes also a responsum from a Parma manuscript: יהודי שזימן גוים חזן לעיר לתפוש ישראל חבירו והוציאו עליהם בטענה

taxation and impositions would have been made tighter, if the whole extent of business carried on by Jews would have become known through such monetary lawsuits brought before the courts. Further, for fear of non-Jewish competition, the Jew found it inadvisable to reveal the particulars of his trade. We find the Christian ecclesiastical authorities in Babylon of the same period exhibiting the same dislike of seeing Christians bring their lawsuits before Muslim courts. In the Judicial Decisions of the Catholicos Mar Timotheos (about 805) as well as those of the Catholicos Jesubarnum (820-24) Christians are enjoined to bring their disputes exclusively before Christian courts.²⁰³ The Geonim in opposing Jewish lawsuits being brought before the non-Jewish courts followed the Talmudic precepts. Already R. Tarfon (end of first century, C. E.) was against attending non-Jewish courts (see Gittin 88 b, *וְתֵנִיָּא הִיָּה ר' טַרְפוֹן אוֹמֵר כ"מ שְׂאֵתָה מוֹנֵצָא אַמְרִיָּאוֹת*, *i. l.* R. Meir) (של נכרים אע"פ שדיניהם כדניי ישראל אי אתה רשאי להיוקק להם). In a responsum (quoted by Müller, *Einleit.*, 54, note 4, end, from a Parma MS.) the Gaon declares that if a Jew hands over a co-religionist to a non-Jewish court, even in monetary affairs, he is regarded as an informer (מסור).²⁰⁴

On the whole Jews acted according to the injunctions of their spiritual leaders and tried to settle all their disputes before the Jewish courts. Thus in the case of the stolen goods (above, pp. 131-32) we find the claimant arguing to

²⁰³ See Sachau, *Syrische Rechtsbücher*, vol. II, Berlin, 1908, p. 56, ll. 13-14: *סְחָלְכֶם לֹא תִשְׁעֶה לֵּךְ מִבְּמָה מִבְּמָה חֶלְלָא יִמַּע*; so Mar Timotheos; cp. further, §§ 12-13 (pp. 66-8), and Jesubarnum, § 115 (pp. 168-9). See also Aptowitzer, *l. c.*, 46 ff.

²⁰⁴ *מִי שְׂמוֹסֵר אֶת חֲבִירוֹ לְדִין נְכָרִי נִקְרָא מְסוֹר גָּמוּר. אִם עַל עֶסְקִי* See also *נ"ה*, No. 491, by Alfasi.

the defendant that because he must not summon him before a non-Jewish court he is worse off than if non-Jews had bought the stolen goods.²⁰⁵ Yet the responsa mention several cases of Jews seeking redress against their co-religionists at non-Jewish courts. A Genizah Fragment of the year 1016 (published by Poznański, *REL.*, XLVIII, 171) tells us of a Jew, 'Amrūn b. Elijah of Sicily, who had Ephraim b. Shemaryah arrested by the Muslim court-officials in Fustāt because the latter did not want to appear before a Muslim court to answer on the former's monetary claims. The arrested Jew justifies himself before the Muslim Judge that as Jews they had a court of their own for settling their disputes.²⁰⁶ In a responsum R. Moses b. Ḥanok (צ"ט, 30 a, No. 9) decides in the case of a Jew who had his co-religionist arrested that he should pay all expenses which his co-religionist incurred through his imprisonment (see also גמ"מ, No. 210). Since Jews frequently brought their lawsuits before non-Jewish courts, repeated injunctions had to be made by the spiritual leaders of Jewry against this practice. In a Cambridge Genizah Fragment (published by Dr. Marmorstein, *Monatsschrift*, 1906, 599) we read of an institution in a community that any Jew that brings his lawsuit before a non-Jewish court

... הרי הגוים אומרים שכבר אמרו לנו אותן הנגבין או אותן²⁰⁵
 שמצאו את האבדה או הלסטין לקנות אותה פרקמטיא מהם, ולא רצינו
 שכבר נתברר לנו שאינה שלהן מפני שאסור בדיניהן ונתפרשו, ויש מהן
 שאמרו לא רצינו לקנותה שלא יבואו בעלים ויכירו אותה בדינו, או יודע
 להן ותובעין איתנו בדין לפני המלך או השופט ולקחתין אותה ממונו ונפסיד
 את ממוננו ונהיה באותן הנגבים לפני הבריות, ונמצאת אתה עלי עכשיו
 יותר מן הגוים שאלו היה בידן הייתי תובע אותן עכשיו כשהוא בידך איני
 יכול לתבוע אותך אצל הגוים.

²⁰⁶ יהודים אנחנו ויש... ים עד שיתועדו ויראו בעסקינו (II. 17-18).

should pay a fine.²⁰⁷ In an undated fragment from Fustât (in the possession of Mr. E. N. Adler, M.A., London) we find the Nagid enjoining that no Jew should go to a non-Jewish court before bringing his case before the Jewish court of Cairo.²⁰⁸

The question often arose whether deeds of property or transaction drawn up in non-Jewish courts possessed legal value in Jewish courts. The Geonim were frequently asked to legalize such documents (see ג"ה, No. 82; גמ"מ, Nos. 94 and 199). Some responsa by Spanish scholars as well as by Hai, throw interesting light on the way the Muslim courts administered justice in Spain and Babylon respectively. In the former country the Muslim courts seem to have been held in great disrepute by the Jews at the end of the tenth and the beginning of the eleventh centuries. R. Moses b. Hanok of Cordova, in dealing with the case of a Jew who was found guilty by the Arab authorities on the charge of murder and had his property confiscated, writes that 'their justice is no justice even when Muslims only are concerned, how much less when Jews are concerned. They also rely on witnesses that are false'.²⁰⁹ The Rabbi criticizes the too ready acceptance of witnesses by these courts without first ascertaining their veracity. The

ושבח שעל ידו נמחה המגלה של התקנה שלקחו בקניין בהרם ובמנין
כל הקהל יוכל מי שיעמוד עלי ועל ב"ד ישראל אחר (?) בערכאות של
גוים שיתן דינר כסף (1. 23).

ולא יכרך לאומות העולם ואימן תעדי וכרך לאומות העולם קבל
208 ג"מ, No. 166: See also הצורה לבית דין ללמתחדתין פי אלקאהרה . . .
המקבל עליו בקנין לילך ולדון עם בעל דינו בדין הגוים . . .

כך ראינו שאין הדבר תלוי אם דיניהם דין ואם לאו : גמ"מ, No. 179
209 טוראי אין דיניהם דין דלא דיני וקטלי ואפי' הן לעצמן וב"ט ישראל,
וסומכין על עדיהם והם כולם עדי שקר אשר פיהם דבר שוא . . .

same disparaging opinion about the Arab courts was prevalent among the Jews of Kairouan and North Africa (נ"ה, Nos. 237, 278, and 324). A still more scathing criticism we find in another responsum by a Spanish scholar of that time (נמו"ט, No. 199, see Müller, note 1). The Rabbi maintains that, firstly, the Arabic documents of the courts are unreliable because by adding or omitting one dot over or beneath a letter in the Arabic script the whole meaning of a sentence can be changed. Secondly, the courts accept witnesses without knowing them, and rely on identifications the witnesses give about themselves.²¹⁰ Müller (note 6 to this responsum) is surprised at this procedure as being against the Muhammedan law, but we shall see later on that R. Hai in Pumbedita knew that in some parts of the Muslim empire such a scandalous administration of justice was practised (see also Müller, *Die Responsen der spanischen Lehrer des 10^{ten} Jahrhunderts*, p. 6 in the seventh report of the Berlin *Lehranstalt*, 1889).

Entirely different was the state of affairs in Babylon. There a whole system of jurisdiction was devised and brought to a high level of efficiency by the legal school which had as its founder the famous lawyer Abū Ḥanīfa (d. 766 C.E., see Kremer, *ibid.*, I, 491-7 and 504). This high standard seems to have been maintained for several centuries. The Gaon Hai testifies that in his time the courts of Bagdad and of other large cities excelled themselves in their care exhibited in administering justice. Great care was shown in accepting witnesses, and therefore

... שכתביהן אפשר להודיין הן בנקודה אחת מחליפין את הענין . . . ועוד שאין מדרקקין בעדותם שמעמידים אדם שאין מכירים ואומר אני פלוני בר פלוני וחותמין על דברו ואע"פ שאיננו הוא אלא . . . אחר ויש בכתביהן שאר דברים שאי אפשר לפרשן . . .

deeds of property drawn up at these courts were accepted as legal by the court of the Gaon. Yet R. Hai knew that there were 'villages and distant places', where the courts did not come up to that standard of perfection, and accordingly documents from such courts found no legal recognition in the opinion of the Jewish courts.²¹¹ We thus see the Jewish scholars estimating the Muslim courts not from the point of view of fanatics, but of lawyers primarily concerned about fair and upright administration of justice. That the Jewish authorities themselves solicited the co-operation of the secular authorities, the so-called **בי דואר**, is apparent from several responsa. In monetary lawsuits, whenever the Bêt-Din or the communal leaders found that their powers of coercion were inadequate, they used to secure the help of the secular arm. Correspondents from K̄airowan (ג"ה, No. 233 in the collection of responsa to K̄airowan, Nos. 230-64) inquire of the Gaon with reference to the Jew *A*, who was sentenced by the Bêt-Din to pay to *B* a sum of money, but does not obey the ruling of the Bêt-Din. Those witnesses that were accepted

²¹¹ ג"ה, No. 278 (in all probability by Hai since ג"ה, No. 239, a similar responsum, is by him): **הבין חזינא כי המדינה הוואת שאנו עבשיו בתובה: והיא בנדאר אין מקבלין בערכאות של גוים אלא עדים פקחים וגדולים ועשירים שלא עלה עליהן גזל ולא דברי שקר ולא דברי שוא ושמצוינין בדתם ונקראין אלמעדלן כגון אלו אם העידו על שטר מכר או הלואה וסידרו את העדות בערכאות שלהן וקיבלן השופט אף אנו נמי דנין באותו שטר וכשר הוא אצלנו. וכן מנהגנו עבשיו מעשים בכל יום. והמדינות האחרות הגדולות שבבבל יש בהן מי שעירי הגוים המוצבין לעדות כך הן מצוינין בדתם ומרבין להזהר בדבר שוא וכל שכן מדברי שקר . . . ויש מקומות וכפרים ומרחקים שאינן כך אלא שקרנות וכזבנות ידועה בהן וגומלין הן ונהנין מעדיותיהן כגון אלו אין אנו מבשרין שטרותיהן . . .** Cp. also ג"ה, No. 324, probably written in 1016 by Hai to K̄abes, see Harkavy, *ibid.*, p. 156, note 8; ג"ה, No. 233; ש"ס, 84 b, No. 4; ג"ה, No. 51.

by the Jewish court will not be accepted by the Arabic judges, and the question arises whether influential people of the Jewish community may go to the Muslim court and give evidence on the strength of the sentence of the Bêt-Din, in order that justice should be carried out by the help of the secular authorities. The Gaon allows this procedure, especially if there are indications that the defendant *B* is going to escape. A similar responsum we have in ש"צ, 84 b, No. 4 (assigned by the 'Ittur to Sherira). In the place of the correspondents there was no fixed Bêt-Din, but the communal leaders used to settle disputes arising between Jews. If their ruling is not obeyed, the Gaon decides, the help of the secular authorities may be procured.²¹² In a Genizah Fragment (published by Schechter in Berliner's *Festschrift*, Hebrew Part, 112) we find the Dayan Elijah complaining that 'from the majority of our congregation it is difficult to recover anything unjustly appropriated, unless through the power of the ruler'.²¹³ This letter was hardly sent from Egypt, as Schechter maintains; ll. 18-19 show that the writer only passed through Egypt (cp. also Poznański, *REJ.*, XLVII, 139, and *Babyl. Geon.*, 99, note 1). Perhaps this Dayan held his office in Damascus where there existed a Karaite community. Probably Sahl b. Maṣliḥ had this practice of the Rabbanite authorities in mind when he accuses them

²¹² ובמקום שאין הגולן חושש לסופרי ישראל גובין החוב בגוים ואל תאבד. Cp. further 'Gaonic Decrees and Documents' (published by Aptowitzer, *JQR.*, N. S., vol. IV, p. 27); No. V (אדרכתא) . . . וכל בר : (אדרכתא) אית ליה רשותא למיזל אסחדי קמי אומות ישראל דחוי ליה לאדרכתא אית ליה רשותא למיזל אסחדי קמי אומות העולם. See also R. Yeruḥam, מיישרים, I, 12 (beginning) מי שחומיננוהו ומוסרב לבא לפני דיני ישראל יכול להביאו בערכאות של גוים כך דקדק ר' פלטיי גאון וכו'.

²¹³ .ורוב בני עמנו קשים מלהוציא נולה מתחת ידם כ"א בכח הוד מלכותו

of enlisting the help of the secular power (ומתנדלים ומתנאים) לקוטי, in Pinsker, ומתנברים עליהם בנידוי ובחרם ובשליטי הנכרים (קדמוניות, נספחים, 31, bottom).²¹⁴ From some community the complaint came to R. Hai that there were refractory people who did not listen to the Bêt-Din and committed evil deeds, while 'the government was a grievous one' and afforded no assistance to the communal leaders.²¹⁵ The whole problem of the power of the Jewish courts and the communal leaders will be discussed fully in the chapter next but one.

(d) We shall now discuss the material which the responsa furnish concerning Jewish masters and their slaves. It is generally assumed that the Jews of the Gaonic period were very active in slave-trade (see Heyd, *Geschichte d. Levante-handels im Mittelalter*, I, 139, and Dr. Abrahams, *Jewish Life in the Middle Ages*, 96 ff.). It is noteworthy that of the considerable number of responsa that deal with slaves in the service of Jews, only a few refer to slave-trade as a trade carried on by Jews. R. Nahshon of Sura (874-82) was asked by some community about slave-trade. 'In our place people are used to buy slaves cheaply, and there is no better trade than this. May we sell them at once without initiating them into Jewish rites, because only one out of a hundred abide in his newly accepted religion, and we get great profit from this trade?'²¹⁶ The Gaon

²¹⁴ Yet Benjamin Nahavendi also advocates this practice : ואם לא יבוא לאחר אלה ולא יקבל דין שדי ולא ישוב מוסרים אותו לערבאות המלכות ומעידים עליו להעמיד עליו דין שדי (משאת בנימן), ed. Firkovitz, 2a bottom).

²¹⁵ . . . אית גבן אלימי דלא צייתין לבי דינא וקעברין : גמ"מ No. 42, עוברין בייטין וזמן קשה הוא ומלכות עזה וקשה היא ולא יכולנא למעבר בהו דינא . . .

ושיטאלתם רגילין במקומנו לקנות עבדים בזול ואין : ש"צ 26 b, No. 27.

permitted this trade. Had the Talmudic law (Yebamot 48 b) been carried out to its full extent, slave-trade could not have been carried on by Jews. This Talmudic law requires that every Jew should have his male slaves circumcised and his female slaves initiated into the rites of Judaism. With their acceptance of Judaism such slaves must not be sold any more to non-Jews. Some Geonim seem to have been very strict about these laws. Thus R. 'Amram (צ"ש, 25 b, No. 18) does not allow a slave to be retained even for a month unless this slave consents to become a Jew. Only circumcision is allowed to be postponed for a year (based on Yebam. 48 b). According to the Talmud (Giṭṭin 44 a) a Jew who sold his slaves that had accepted Judaism to non-Jews was to be fined by the Bêt-Din ten times the value of the slaves. This fine which was spent on charity we find imposed by the Geonim (צ"ש, 26 a. No. 19) by R. Kohen-Şedek (either of Sura 845 or of Pumbedita 926); 27 b, No. 37, by R. Natronai; see צ"ש, 23 a, No. 3, end). The Catholici in 'Irâk likewise excommunicated Christian masters that sold their Christian slaves to members of another religion (Jesubarnum, § 65, and Timotheos, § 77, in Sachau, *op. cit.*). But it seems that the Geonim had difficulties in enforcing all these laws amongst the people. Slave-trade was lucrative in those times, and the temptation was great. Several Jewish masters disliked to circumcise their slaves, because they would not be able to sell them any more to non-Jews. R. Hai in a responsum wonders that there should be a Jew

להם סחורה כמותה מהו למכרן לאלתר שאין עומדין בדין ישראל כלל
אלא אחד ממאה ויש לנו ריוח הרבה. Other references to slave-trade as
carried on by Jews are perhaps to be found in צ"ש, 81 b, No. 17; *Geon.*, II,
150 (ת"ק); ג"ה, No. 435. See also צ"ש, 27 b, No. 38, by R. Natronai.

whose slave desires to become a Jew, but whose master prevents him (see צ"ש, 26 a, Nos. 20 and 21 (*Einleit.*, 15. note) and *Geon.*, II, 197). Thus, in spite of the opposition of the Geonim, slave-trade apparently flourished among Jews. The Arabic geographer Ibn Kordâdbeh, in the middle of the ninth century, in his famous report (published first by Sprenger, *Journal of the Asiatic Society of Bengal*, vol. 14, Part 2, 1844, 519 ff., discussed in the next chapter) tells of Jewish business men that travelled from the country of the Franks so far as to China, and who on their way back used to bring slaves, both male and female, and eunuchs to the Occident. It should be pointed out that Jews themselves were prohibited by a Talmudic law to castrate their slaves, and this could be done only by non-Jews, as we learn from a Gaonic responsum.²¹⁷

In Jewish households slaves were as frequent as in any non-Jewish household. In Arabic-speaking countries it appears that Jews were allowed to keep only Christian slaves but not Muhammedan. An interesting question from Tlemsen sent to Hai shows us how Jews obtained slaves for their households. R. Hai's correspondents write that there are places where Jews find only Christian female slaves for sale. These a Jew is allowed to acquire legally : Muhammedan slaves he can obtain only secretly and at great danger. Now some of these Christian slave-girls accept Judaism at once, others ask for some time for consideration, but the majority refuse to accept Judaism. The correspondents describe how a Jewish household without a female slave is in great trouble, since the wife

ישראל יאמר לגוי עיש לו עבדים סרסם ואני אקנה : ג"ו, No. 217
 . . . ממך מותר ואין בכך כלום והיתר נמור הוא . . . Cp. צ"ש, 23 a, No. 3 :
 וישראל שלקה עבד סרים.

or the daughters of the Jew would have to fetch water from the wells, wash the linen by the side of the river, and go to the baker's. They will thus come into contact with non-Jewish and profligate slaves and be exposed to dangers and disgrace. The Gaon permits these Jews to retain their female slaves, in spite of their not accepting the rites of Judaism. He only enjoined the Jewish masters not to employ their slaves on the Sabbath.²¹⁸ This interesting responsum, besides giving us a glimpse of the social conditions of those times, shows in the first instance that Jews were not allowed to have Muhammedan slaves. This is further corroborated by ג"ה, Nos. 12 and 13 (probably by R. Paltoi of Pumbedita, 842-58) especially according to Halberstamm's MS. (see *Einleit.*, 27, note 3). A slave told his master 'Either liberate my son or I shall become a convert', i.e. he would become a Muslim and thus *co ipso* liberate himself (ובשביל עבד שאמר לרבו שחרר את בני ואי לא אישתמר). We learn further from the above question from Tlemsen to R. Hai that even in Muhammedan countries Christian slaves could not be forced to become Jews. This is corroborated by several responsa. Especially

²¹⁸ ש"צ, 23 b, No. 6 = ג"ה, No. 431: מקומות שאין היהודים מוצאין שפחות לקנות אלא מצריות והן במקומנו מצויות והגוים מותר להם בדינם להניח את היהודים לקנות אבל חוץ מהן אין מניחין אותן לקנות אלא בסתר ובסכנה. ויש מהן שמתגירות לאחר, ויש מהן שמתגירות לאחר זמן, ויש שאינה רוצה לחזור כלל וישראל השרויין באותן מקומות נצרכין להם ביותר שלא יצטרכו בניו ובנותיו או אשתו להביא מים על כתפיהן מן המעינות ולצאת לבורני עם שפחות גוים ופרוצין ונמצאות ישראל ש"צ, where נוצריות in the bad Salonica print of the ש"צ, 20 b., No. 13). In ש"צ 2b, No. 17 it is clearly printed נצריות. See further ג"ה, p. 224, note 10. The abbreviated responsum in ג"ה, No. 11, has also שפחות נצריות.

male slaves could not be forced to become circumcised even after the lapse of twelve months given for consideration (cp. above, p. 145, and ש"צ, 23 a, No. 1). But as regards female slaves who required only the ritual bath for their initiation into the Jewish rites we find cases of forcible action on the part of the Jewish masters. Sherira (ש"ז, 25 b, No. 16, שפחה נוצרית שלא קבלה על עצמה להבנם והטבילה בעל כרחא) decides rightly that such an enforced ritual bath has no effect, and the slave remains a Christian anyhow. But Sar Shalom (of Sura. 849-53) is of a different opinion (ש"ז, 27 a, No. 32 = ש"ה, No. 255 = ה"פ, No. 16). It should be kept in mind that for a Jewish household, a slave that did not accept the Jewish rites was of no use. The slave could neither cook, nor prepare the food, nor touch the Jew's wine, nor perform other domestic duties (see ש"צ, 23 a, No. 3; ש"ה, No. 254 = ה"פ, No. 15). In some places Jewish masters were afraid that slaves, who did not accept Judaism, would be used by their non-Jewish enemies as a tool for denunciation and slander.²¹⁹

On the whole we may assume that the slaves were treated humanely in Jewish households. The very fact that they became half-proselytes helped to raise their status and to elicit sympathy from their employers. Thus they were regarded almost as members of the family. In ש"צ, 27 a, No. 3 (by R. Şemah = *Geon.*, II, 183, l. 9) there is mentioned the case of a slave, who pretended to have adopted Judaism, in order not to be sold to non-Jews. We find further cases of masters having their slaves or the

²¹⁹ ג"ה, No. 431 (end), and No. 11: ובמקום שהן מתייראין מן העבדים : שלא נתיירו שלא יגלו סוד ישראל למבקשי נפשם ודמם ויבואו לידי סכנות ומלחמות ודאי יראין מקיימין אותן כל עיקר. This again shows us the attitude of the populace in Arabic countries towards the Jews.

children of their slaves, instructed in the Bible (צ"ש, 26 b, No. 29, by Sherira; 27 b, No. 36, by R. Nahshon (see *Einleit.*, 14, note); *Geon.*, II, 83-4). But it seems that the Geonim disliked this practice. Sometimes slaves were entrusted with the entire management of their masters' affairs (see צ"ש, 26 b, No. 29; 73 b, No. 10, by R. Natronai (*Einleit.*, 14, note)=י"ג, No. 79; ק"ג, No. 50, which Müller, *Einleit.*, 25, assigns to R. Meshullam or R. Gershon, hence, a case of slaves in Christian countries). The Roman custom of manumitting a favourite slave before or immediately after the death of his master, which we find in vogue among the Jews in the Talmudic times, was also continued in the period of the Geonim. From several responsa we learn that the practice was for a man to liberate before his death his favourite slave. Likewise the death of her mistress would result in a female slave regaining her liberty (see צ"ש, 27 a, No. 31; *Geon.*, II, 83). Female slaves were frequently included in the dowries given to daughters on their marriage (צ"ש, 45 b, No. 7, by Samuel b. Hofni; 54 b, No. 8, probably by Sherira; גמ"ט, No. 220). Generally we find the Bêt-Din looking after the interests of the slaves and affording them protection. Following the Talmudic maxims, the Geonim would force, for example, the heirs of a man, that declared his slaves to be free after his death, to carry out the will of the testator (see צ"ש, 26 b, No. 25; 25 a, No. 14; 27 b, No. 36, end). Once R. Şadok (of Sura, 823-5) even forced the son of the Exilarch to comply with the Talmudic rule in such a case, and grant freedom to the slaves of his testator, a late member of the Exilarch's family.²²⁰ The Christian eccle-

²²⁰ *Geon.*, II, 83: כך היה מעשה באחד מן בני נשיאה ושמו נתן בר: שהריאר והיו לו עבד ושפחה וצוה ואמר פלוני עבדי ופלוני שפחתי לא

siastical authorities in Babylon likewise forced the heirs, by excommunicating them from the Church, to fulfil the wishes of their testator and grant freedom to his slaves that had been declared free (so Ḥenânisô, V; Jesubarnum, § 66 in Sachau, *op. cit.*). Another case R. Naḥshon mentions in a responsum in ש"ט, 27 b, No. 33: 'A slave swore not to serve his master.' Seeing the great binding force of the oath with Jews, the slave wanted to gain his liberty in this manner. But the Gaon decided to take no heed of the slave's oath. On the other hand we find the Bêt-Din imposing flagellation on a slave because he assaulted certain people (ש"ט, 29 b, No. 4, probably by Sar Shalom, see *Einleit.* 14, note). If a slave of a Jew did not observe the rites of Judaism into which he was initiated, his master was allowed to sell him to non-Jews. We have the evidence of the responsa that the greatest majority of the slaves in the service of Jews did not observe the Jewish rites (see ש"ט, 23 a, No. 3, but cf. גמ"מ, No. 49; ג"ה, Nos. III and 431, by Sherira as regards the Sabbath; ש"ט, 27 a, No. 30, by R. Şemah). Likewise if a Jewish master was discovered committing immorality with his female slave, the master was severely punished and the slave sold to non-Jews (ש"ט, 2 b, No. 17, cp. 25 a, Nos. 13 and 15).

All the responsa discussed in this paragraph, when taken together, acquaint us with the position of the slaves in the service of Jews. However great an evil slavery was in those times, it should not be overlooked that in Jewish

ימליבחהם אחד מן בעדי (לא ימליכיהם אחד מן בעדי) ואחא לקמיה אדונינו מאור עינינו מר רב צדוק גאון . . . ובפניה ליורש דנתן שמעיה בריה דיצחק ריש גלותא וכתב לחון גיטא דהירוחא. A similar case we have in the Decisions of the Catholicos Ḥenânisô, No. VII (Sachau, *ibid.*, p. 14). See Aptowitz, *ibid.*, 12 ff.

service the slaves enjoyed perfect rest on the Sabbath and the Jewish Festivals, just as their masters. Further, their having adopted Judaism made their lot more tolerable. They were therefore treated with more consideration. In נ"ק, No. 118, the Rabbi, probably Ḳalonymos of Lucca, writes that the well-known prayer for the dead, the Ḳaddish, should also be recited for slaves that observed the Jewish rites (וּמִפְּלֹי עַל הָעֲבָדִים שֶׁמְשַׁמְרִים אֶת הָאֱמוּנָה אוֹמְרִים קִדִּישׁ). In another responsum (ש"צ, 23 b, No. 5) we find the case of a slave whom his Jewish master sold to a non-Jew, and who on gaining his freedom from his second master desires to remain henceforth a Jew. Finally, the Jewish master was personally free from the blame of the cruelty of castrating his slaves (see above, p. 146).²²¹

²²¹ Yet Dozy (*Geschichte der Mauren in Spanien*, II, 38) writes, 'The Jews, who speculated on the misery of the nations, bought children of both sexes and brought them to ports where Greek and Venetian ships called to transport them to the Saracens. Other slaves, destined for attendance at the harems, came from France where there existed large establishments for eunuchs managed by Jews'. As Harkawy (הַצּוֹפָה לְהַמְנִיר, 1877, 219, 4) rightly remarks, Jew-hatred rather than the actual facts is the reason for the above statement as well as for the assertion of the Arab writer Muhammad al-Muḳaddasi al-Bashari that the slaves from the Slav countries are brought to Baganah (near Almeria in southern Spain, see above, VII, 486, note 32) whose inhabitants are Jews and who castrate them there.

(To be continued.)

CORRIGENDA IN VOL, IX, 139 ff.

- P. 148, note 105, l. 1. *For* Tos. Ber. 316 *read* 3¹⁶.
 P. 151, note 120, l. 2. *For* 310 Sel. = 998 *read* (1) 310 Sel. = 999 c. E.
 Pp. 156, l. 21, and 167, l. 27. *For* part H *read* Hebrew part.
 P. 160, l. 9. *For* Elḥananan *read* Elḥanan.
 P. 165, l. 14. *For* Juda *read* Joshua.
 P. 169, note 163, l. 3 from the bottom. *For* we *read* were.
-

- Vol. IX, p. 415, note 8. *For* 1 Sam. 4. 3 *read* 4. 13.
 P. 417, l. 18. *For* Suhlān *read* Sahlān.
 P. 420, l. 15. *For* become in MS. *read* are styled.

WILLIAMS'S THE HEBREW-CHRISTIAN MESSIAH

The Hebrew-Christian Messiah, or The Presentation of the Messiah to the Jews in the Gospel according to St. Matthew, being Twelve Lectures delivered before the Honourable Society of Lincoln's Inn on the Foundation of Bishop Warburton in the years 1911-15. By A. LUKYN WILLIAMS, D.D., with an Introductory Note by the BISHOP OF ELY. Society for Promoting Christian Knowledge, London, 1916. pp. xxii + 425.

THE purposes of this volume are clearly set forth by the author in his preface. They are in the first place to offer an interpretation of the leading ideas contained in the book of Matthew, in their relation to the ideas current at the time of the apostle in his Jewish surroundings; secondly, to seek to apply some of these ideas to the needs and requirements of the present time; and, thirdly, to offer a clearer and more exact knowledge of Jesus as the Messiah to the Jews of to-day. Matthew was written primarily for Jewish Christians, to strengthen them in their new faith and to provide them with arguments against the objections of their Jewish brethren. Hence the book might well be regarded as a presentation of the Christ to the Jews, and by a modern restatement of its main ideas it may also serve the same purpose for the Jews of the present time. The author endeavours consciously and conscientiously not to allow the last two purposes to affect the main aim of the book, which is exegetical in the larger sense. His piety and zeal in behalf of his faith and his loyalty to his particular denomination cannot but find an echo in his discussion of the various subjects of his theme, although it is his intention to be purely scientific. Our author is

honest, both in his own beliefs and in the appeal that he wishes them to make to others, and this honesty of purpose and candidness in the presentation at once attract the sympathetic interest and regard of the reader. In questions which do not involve a Christian dogma our author is critical and exact, and frequently displays originality of thought and a firm grasp of the subject. Where, however, Christian doctrine is concerned he falls back on his faith, so that his arguments have an appeal only to such as are possessed of a faith like his own. He shows a considerable familiarity with the literature on the subject, although he is not always careful to distinguish the value of the various sources from which he draws his information.

The first chapter of the book deals with the question of the genealogy of Jesus, his meeting with John, and his first appearance in Galilee. The simple faith of the author is indeed appealing, though his effort to give it a scientific basis is far from successful. The position of the various sects in the Jewish Commonwealth at the time of Jesus is fully discussed in the second chapter. Dr. Williams dismisses the Essenes as being entirely outside of his inquiry, since their doctrines had no influence on the early Christians. The opinion of Graetz and other scholars that the teachings of the Essenes had a decided influence on the development of early Christianity he regards as unproved by any substantial argument (compare the recent presentation of the life of Jesus in story form by George Moore in his *The Brook Kerith*, where it is made to appear that the Essenes played a very important part in the mental development of Jesus). The Sadducees also are given but little space in the discussion, since they paid no attention to the invitation of the Messiah, because of their worldly interests and lack of spiritual insight. The main interest of our author centres about the Pharisees and the contradictory estimates of them in the Gospels and in the Jewish sources of the same period. After quoting copiously from modern Jewish authors, who present different solutions to this difficulty, the author comes to the conclusion that the term 'hypocrite' used in connexion with the Pharisees in Matthew is to be given a more extended

connotation than the one given to it now. The Pharisees were indeed deeply religious, seeking righteousness and loving God, but shallow in their religious conceptions and 'lacking submission to God and his ways of salvation'. The reader cannot help but sympathize with the author in his difficulty and appreciate his zeal in endeavouring to find a solution to it, but, after reading the lengthy argument which he advances, he may still be inclined to agree with the verdict given by Mr. Herford that 'if there was on the part of the Pharisees a complete inability to comprehend the religious position of Jesus, there was also on his part an inability to comprehend the religious position of the Pharisees' (*Pharisaism*, p. 170).

Our author treads on more slippery ground when he begins to consider the miracles attributed to Jesus in the Gospels. Assuming the truth of the miraculous narratives, not only as they appeared to the contemporaries of Jesus, but as essentially true, our author still endeavours to connect the miracles with natural phenomena and with scientific theories of disease. He classifies the miracles, labels them with modern designations, comes dangerously close to the modern Christian Science theories, and even endeavours to prove their veracity by actual experiences. It is futile to argue about such matters, but to induce a belief in Jesus as the Christ in a modern Jew more substantial proofs than those based on Jesus as the Healer will be necessary.

In the consideration of Jesus as the Teacher, to which three chapters are devoted, it is but natural for our author to begin with a comparison between Jesus and the Jewish teachers of his time. Freely and generously conceding the greatness of the Rabbis, their religious zeal, their pedagogic insight, and their masterful presentation, the author still claims superiority for Jesus, a superiority which lay mainly in his personality. In connexion with this several specific teachings of Jesus, as the 'Lord's Prayer' and the dictum 'love thy enemies', are taken up and compared with similar Jewish teachings. In this consideration also enters the discussion regarding the permanence of the Jewish Law taught by Jesus, which apparently contradicts the

teaching of Paul regarding the inefficacy of the Law. Here a distinction in the meaning of the term *Torah* is given—Jesus using the term in its broad and spiritual significance, while Paul was thinking only of the ritual and legal aspect of it. This leads our author to the discussion of the subject whether it is possible or desirable at the present time to have a Hebrew-Christian Church, the members of which should be adherents of the orthodox Jewish customs and ceremonies and at the same time good Christians. His conclusions are not in harmony with the resolutions adopted recently at the oecumenical conference held in St. Louis. The ethical teachings of the Sermon on the Mount are then taken up and discussed in comparison with the ethical teachings of contemporary Judaism. The author admits that there was nothing new or original in the doctrines enunciated, but that the force of the Sermon lay rather in the exposition and the emphasis placed on certain well-known principles. The impracticability of the actual application of some of the formulae is explained on the ground that they were not meant for the masses, but only for the few select, those who feel themselves ‘poor in spirit’ and maintain their complete dependence on God.

The seventh, eighth, and ninth chapters are devoted to the discussion of the three terms by which the Messiah is designated in Matthew—the Son of David, the Son of Man, and the Son of God. Not content to take the term ‘Son of David’ merely as a synonym for the Messiah, Dr. Williams goes into great detail to prove the Davidic descent not only of Joseph but also of Mary, which he considers necessary because of his belief in the virgin birth of Jesus. In the term ‘the Son of Man’ our author sees several distinct connotations. In the first place, it implies weakness, privation, and suffering, the ideas suggested by its use in the book of Ezekiel. On the other hand, it also implies the idea of the perfection of the human soul ‘akin to God and therefore receptive of authority on earth, and to be made supreme hereafter’. In the title ‘Son of God’ our author refuses to see a mere figure of speech, but, like the truly orthodox Christian that he is, he takes it in its literal sense, denoting not only a moral

and a spiritual, but also an actual relationship with the divine. The incarnation of the divine spirit in human form is, according to our author, not only reasonable but necessary, and the real meaning of such a belief and all that it implies is fully appreciated and minutely discussed by him.

The relation of early Christianity to the apocalyptic and pseudepigraphic writings is given full recognition in a separate chapter. Our author is perplexed by the problem as to the manner in which Jesus understood the prophecies about the Kingdom of God, which form the main subject of these books, to be fulfilled in him. Has the Kingdom come with his appearance? will it come very soon? or is it to be delayed to a remote future, as indicated in these books? Passages are found in Matthew that may be interpreted to prove one or the other of these suppositions. While it is admissible to presume that Jesus was mistaken, although this is 'exceedingly improbable', he could not be so blind as to imagine that the whole Jewish nation would accept him as the Messiah and follow his teachings. Jesus was certain that a long period would pass before his return on the 'clouds of heaven', but, because he employed trenchant language in the picturesque presentation of his hopes, his hearers supposed that the time of the Kingdom would be here very soon. While the nature of the predicted change is not definitely stated, it is plain that it was not to be gradual but rather catastrophic.

Dr. Williams lays the blame for the crucifixion of Jesus both upon the Jews and the Romans alike. The Sadducees were then in power; hence they are made to bear the burden of the guilt. The Pharisees, however, as well as the great Jewish masses, were not only pleased with the execution, but probably also helped and abetted it. 'The shame is that the Jews, the most enlightened nation of the time, with a knowledge of God, theoretical and practical, far surpassing any other, acted as they did. . . . The history of the Passion suggests, not that the Jews were sinners above all others, but that there was and is something radically wrong with the whole human race, when its best representatives act thus towards the embodiment of truth and holiness and love.'

Jews will be ready to agree with this last statement, because of their bitter experiences, through many centuries, with the followers of Jesus.

The death of Jesus, however, was not an accident but rather a part of the divine plan. Jesus died so that he might serve as a ransom for the sins of his people. But only the sins of those who believed in him would be atoned by his death. His advent and death were not to work a mechanical change in the world. The change of soul that a belief in him works prepares one for the benefits derived from his death. Our author does not shirk the difficulty of the doctrine of vicarious atonement, but he asserts his firm belief in it and proves that Matthew certainly believed in it. Our author also declares his firm belief in the resurrection of Jesus, as narrated in Matthew and in the other Gospels. And this resurrection was in the body, although the body may have been a kind of refined matter.

Combining sound scholarship with a fiery religious zeal, our author has succeeded in clearing many moot points for the believing Christian. His critical faculty frequently gives way to his religious enthusiasm, and this should be a merit rather than a fault to the believer. It is true that his purpose to reach the intelligent Jew has not been attained, not so much because of his lack of knowledge of Jewish sources, but rather because of his lack of understanding and appreciation of the Jewish soul and its strivings. His zeal arouses sympathy, but not conviction; his simple faith and sincerity call forth admiration, but do not persuade. Still, even the Jewish reader will find in this volume much that will be of value and interest to him.

JULIUS H. GREENSTONE.

Gratz College.

THE DOT IN SEMITIC PALAEOGRAPHY

BY HARTWIG HIRSCHFELD, Jews' University Colleges,
London.

THE dot is the smallest thing seen in any table of Semitic alphabets, yet its absence would render their study well-nigh impossible. Without it half the characters of the Arabic alphabet would be meaningless. Had an ancient Arabic poem been handed down to us by the grammarians without diacritical points, we should have been unable to read it, and even under the most favourable circumstances it would have been full of ambiguities. If the Jewish Masoretes had not provided the Hebrew Bible with vowel points, it would for ever have remained a sealed book. Ample proof of this is furnished by the Semitic inscriptions which contain a large number of words of which we can only give an approximate translation without being certain of its correctness. When reading Arabic, Syriac, and Hebrew texts unprovided with dots and reading signs, we are only able to do so by applying what the grammarians and Masoretes have taught us. The dot, so to speak, carries Semitic philology on its tiny shoulders. It is also of psychological interest, as it shows how the human mind contrived with such simple means to mark the division of words, clauses, periods, and sections; to indicate the different sounds appertaining to characters of uniform shapes; to characterize the variations arising from the grammatical inflexion of verbs and nouns, as well as to assist in the correct reading of groups of letters of identical

appearance. This does not exhaust the functions of the dot. It has been employed singly and collectively, occasionally varying in shape, size, and colour, and has even entered fields outside Semitic linguistics. It is no exaggeration to say that the dot employed in our present writing is a direct descendant of its old Semitic ancestor.

I. THE DOT DISJUNCTIVE.

If we compare the oldest Semitic inscriptions known, viz. those of Oerdek-Burnu¹ and Ba'al Lebanon on one hand, and the Moabite stone and the inscription of King KLMU on the other, we at once perceive a marked difference between both groups. Whilst the characters of the first have sharp angles, several letters in the two others bend their tails slightly to the left, i.e. towards the next letter. This is obviously an inchoative tendency towards cursiveness, indicating a later date. A common characteristic of these inscriptions is that the words are separated by dots. Only the Ba'al Lebanon bowl, which is of metal, has no dots. The Moabite stone even goes further, and divides sentences by perpendicular lines. From all this we may gather that the authors of the three stone inscriptions just mentioned were so much imbued with the importance of what they wished to convey to posterity that they insisted on absolute clearness of the text, and endeavoured to prevent any ambiguity that might arise from any letter coming in contact with its neighbour. We also find dots between the words in the Siloam inscription as well as in the Aramaic inscriptions of Zenjirli, viz. Hadad, Panammu, and Bar Rekūb. These are of later

¹ See Lidzbarski, *Ephemera*, III, pp. 192 sqq.

date than the first-named group, belonging to the eighth pre-Christian century. Being royal inscriptions they were provided with dots for the same reason as the others. As to the Siloam inscription, although no sovereign is mentioned in it, it was of national importance, and carved on behalf of some high authority, being part of a scheme of architecture for the public benefit. It is probable that the work of cutting the inscription as well as the whole building project was interrupted before it was finished, because it is not likely that so telling a communication was intended to remain hidden in the bowels of the earth for all ages. Something must have been in contemplation to render the inscription accessible to readers, otherwise there was no purpose in carving it. The two Nērab inscriptions which also belong to the ancient Aramaic group show no dividing dots, but they are of still later date and private character, being devoted to the memory of priests. Dotless likewise are the legends on the Babylonian lion weights, but they are of metal, and the words are separated by space. No dots are found on the Gezer calendar² which, though of great antiquity, only represents the scribbles of a private individual.

The dots which separate the words in the Moabite stone have been used to throw suspicion on the genuineness of the inscription.³ The validity of this suspicion has been disproved by the deliberate opinion of the best authorities of Semitic epigraphy. If justified, the same suspicion would apply to all other inscriptions mentioned before. Are they all falsifications? If so, we must also include the South Arabian inscriptions in which the words are

² See *Pal. Expl. F.*, Jan. 1909, pp. 26 sqq.

³ *ZDMG.*, LIX, pp. 236 and 744.

separated by perpendicular lines as well as some Carian ones which show the same feature.⁴ The lines and dots in the Moabite stone, so far from being a source of doubt, add a fresh argument in favour of its authenticity.

It is worth while examining the whole question of dividing dots in other inscriptions, especially Phoenician. In the home country, Carthage and Marseilles, no dots were used. The bulk of dotted inscriptions belongs to Cyprus. In *CIS.*, I, 46 and 91, a dot is found after every word. In Nos. 11, 92, and the two bilingual ones, viz. 89 and Tamassos,⁵ dots are frequent both in the Phoenician and Cypriote texts. It is, however, to be noted that they are missing in set phrases, such as dates and benedictory conclusions. In some inscriptions there are three or two dots, or only one dot. Others have none. The employment of dots is in the main restricted to the period of the kings Malkiyaton and his son Pumiyaton, i.e. between the years 391 and 354. If we compare these dates with those of the Phoenician home country we find that the former are older. Now although all this does not permit us to deduct any definite rule from it, we are entitled to say that the dots, where found, were not inserted in a haphazard fashion, but with the distinct purpose of serving as guides. It seems that their gradual disappearance went hand in hand with the development in writing towards cursiveness. Between the Ba'al Lebanon and the other Phoenician inscriptions (beginning with that of Byblus) several centuries elapsed during which, in the Phoenician coast towns and other centres of Phoenician culture, the art of reading and writing had probably become so popular that no dividing dots were deemed necessary except where

⁴ See Sayce, *Proc. SBA.*, IX, p. 137.

⁵ Not in *CIS.*

ambiguity was to be prevented. For this reason the Latin text of the Sardinian trilingual inscription (*CIS.*, I, 143) has several dots to indicate the missing letters of abridged words. The intentional omission of dots is peculiarly noticeable in the double text of the first half of the Eshmun'azar inscription, the two parts on the lid of the sarcophagus being merely divided by the space of the width of one letter.⁶ An interesting relic of an earlier habit are the three dots in the Piraeus inscription, *CIS.*, I, 118, and its characters are visibly more archaic than those of the famous 'wreath' inscription of Athens, which is dated 96 B.C. It may seem strange that the Thugga inscription has a dot after every word, although the writing shows a very advanced state. This may, however, be accounted for by the fact that the language is a mixture of Punic and Berber, and a clear division of the words was necessary in order to assist the reader. The very obscure Sardinian inscription, *CIS.*, I, 149,⁷ has many dots, but they are not placed regularly, and also here the dots appear to have been put in as guides for the better reading of this very cursive writing. Whatever reason the engraver had to put the dots in, they cannot be regarded as a sign of lateness.

It is not superfluous, at this juncture, to make a brief diversion into ancient Greek palaeography which presents features akin to our subject. We have seen above that in some Carian inscriptions words are separated by lines. This is also the case with at least one inscription of Thera,⁸ but it was chiefly the dot which travelled to Greek lands

⁶ The second part of this inscription, which is not repeated on the back of the sarcophagus, is probably of later date.

⁷ There are no dots in the Phoenician text of this inscription, but in the Greek text dots indicate missing letters of abridged words.

⁸ See Taylor, *The History of the Alphabet*, II, p. 31.

in the company of the Phoenician alphabet. Double and single dots are frequent in Carian, Lycian, and Cypriote inscriptions. On the islands of the Aegean Sea and in Attica we find three and two dots in perpendicular position, as well as single dots.⁹ The same practice was observed in ancient manuscripts. The retention of these dots can only have been due to the preservation of an earlier custom, as the conversion of the Semitic guttural letters into vowels made the separating dot really unnecessary. There are, indeed, many old inscriptions without any dot, as that of Abu Simbel, several of Thera, and others. There is no need to go into this subject exhaustively, especially as this would require very far-going investigations, which must be left to specialists. This much can, however, be inferred, that the gradual disappearance of the dots in Greek texts furnishes an interesting parallel to the same phenomenon in Semitic palaeography.

The most extensive use of the dot for the purpose of punctuation is found in Syriac manuscripts, either singly to mark the end of a clause, or in groups to close a sentence, paragraph, or section. This practice arose in the sixth century, and developed later into a complicated system, a full survey of which is given by Duval¹⁰ who, on the authority of Barhebraeus, presents no less than forty-six different groups. That this was not, however, the beginning of the use of the dot in Syriac we shall see presently.

In Ethiopic, words are separated from each other by two dots placed one above the other. This may be accounted for by two reasons—*first*, their being a relic

⁹ See Roehl, *Inscriptiones graecae antiquissimae* (1882), 2, 31, &c.; *CIA.*, I, 8, 34, 44, &c.

¹⁰ *Traité de grammaire syriaque*, pp. 146 sqq.

of the perpendicular line of the South Arabian inscriptions as well as in Ethiopic inscriptions of the older style, notably those discovered by Rueppell;¹¹ *second* and chiefly because the nature of Ethiopic characters with their hooks, strokes, and ringlets affixed on either side, made it necessary to prevent misunderstandings. This view may be supported by the fact that prefixes are simply added without intervening dots. Similar reasons are probably responsible for the dots between the words in Samaritan writing, which also abounds in small strokes and points striking out from the body of various consonants. In Nabataean, Palmyrene, Mandaitic, and Arabic texts this dot is unknown; on the contrary, ligatures are common. In Nabataean and Sinaitic inscriptions we find letters of words often run into the next one, causing a certain amount of difficulty to the decipherer. This, on the other hand, leads to the conclusion that the absence of the separating dot, together with cursive writing, was the result of a widely spread faculty of reading and writing, and that both engravers and persons on whose behalf inscriptions were cut had no fear that their legends would not be read correctly.

Hebrew differs in this respect entirely. When the square characters had been finally developed, any artificial means of disconnecting words from each other were unnecessary, because the rabbinical law ordained that the separation should be absolute and clearly visible. This was done in order to prevent any possibility of ligatures. The practice became so strict that it was even adopted for texts of private nature. In the two oldest Hebrew inscriptions in square characters, viz. those of the Benē Hēzir and Kafr Bir'im, neither ligatures nor dividing dots

¹¹ *Reisen in Abyssinien*, vol. II (Atlas).

are to be found. The wisdom of this rule is seen in Hebrew manuscripts of the Middle Ages, in which the cursive writing characteristic of each country with its many ligatures causes considerable difficulty, although it helps in determining the home and often the age of the manuscript in question. In the scrolls of the Pentateuch used for reading in synagogues no dot or stroke is permitted. The words are separated by space or vacant half lines. The division of the verses by double dots was introduced later when biblical books were copied in volume form. The oldest specimen known at present is the famous Codex Petropolitanus of the latter Prophets dated 916.¹² This practice was undoubtedly borrowed from Syriac manuscripts. As to Arabic, gilt dots mark the end of verses in many manuscript copies of the Qorān, and dots and stars frequently appear in the printed editions.

II. THE DOT DIACRITICAL.

The diacritical dot made its first appearance above the *rēsh* in Palmyrene inscriptions in order to distinguish it from the *dālēth*. It is, however, a notable fact that this dot is not found in the older stones, and did not come into use till the end of the second post-Christian century, i.e. about two hundred years after the first inscriptions had been cut. In Nabataean inscriptions this dot does not exist at all. As to the origin of the Palmyrene dot scarcely anything can be said, except that it was probably the outcome of necessity and actual misreading, and born in the brain of some resourceful person who found it advisable to help the reader in the distinction of these two letters. The absence of dots in the preamble of the

¹² Dots before *silluq*, see Kahle, *ZDMG.*, LV, p. 194 rem.

Palmyrene tariff, which dates from the year 137, must have caused embarrassment to unskilled readers, as, e.g. in the first line, *dālēth* and *rēsh* stand in close proximity looking one exactly like the other. Thus in contradistinction to the dot dividing words, in Palmyrene it assists in determining approximately the *terminus a quo* of undated inscriptions. Its employment did not, however, become general at once, and there are many inscriptions of the third century in which it is only sporadically given. From Palmyra it wandered to Syria, and is found in manuscripts as early as the beginning of the fifth century. It is absent, however, from Syriac inscriptions of the same period.¹³ In manuscripts it is also used to mark the *dālēth*, being placed either inside or beneath the letter. A double dot put horizontally above a letter serves to mark the plural. Even the device of using these two dots above the *rēsh* for the double purpose of marking the letter and indicating the plural occurs in the same old manuscript. To whom this contrivance is due is not known, but it was probably the outcome of the exigencies of teaching the young. To the same cause we may ascribe the dot above *ē* whenever it is equivalent to Greek π .

In Hebrew only one diacritical point is used, viz. that which distinguishes *sīn* from *shīn*. The period when this was introduced is not known, but it could not have been very early. The dot on *sīn* was not from the outset placed on the left side, as in the Cod. Petropolit. it has its place over the central head of the letter. In the Moabite stone no difference is made, but it must not be overlooked that we are not well informed as to any dis-

¹³ The inscription published in *ZDMG.*, XXXVI, p. 159, bears the date 494.

tinctions made by the various Semitic nations in the pronunciation of the sibilants, especially as *sāmekḥ* also occurs several times in the same inscription. The same applies to ancient Aramaic and Phoenician inscriptions. The dot over *śīn* was in all probability originally a small **𐤓**¹⁴ placed above **𐤑** in the middle, which **𐤓** subsequently shrank to a mere dot. *Shīn* with the dot on the right was evidently an afterthought, and both were placed on the right and on the left respectively for the sake of symmetry.

The largest use of the dot diacritical is made in Arabic of Moslim times. In South Arabian inscriptions no dot is found, neither do Arabic words in Nabataean ones show any distinguishing mark.¹⁵ Arabic palaeography is not as yet very far advanced in spite of the rich material extant, and much uncertainty still prevails. The Arabic text of the trilingual inscription of Zebed¹⁶ seems to have been added later than the Syriac and Greek legends, since the beginning formula *bismillāh*, particularly in its abridged form, could scarcely have been used prior to Islām. What might be taken for a diacritical point over **ﺯ** in the second line of the Harrān inscription seems to be a small hole in the stone.¹⁷ At any rate the date can scarcely be 463.¹⁸ Thus neither of these inscriptions shows any more trace

¹⁴ See also Kahle, *Die Masoreten des Ostens*, p. 119. Nestle in *Transactions* of the 9th Congress of Orientalists, Semit. section 1, p. 63; and 11th Congress, p. 11. The latter is wrong in assuming that the dot on **𐤑** was always placed on the left side, but is right in demanding that **𐤑** should have its place in the dictionaries before **𐤓**.

¹⁵ e. g. **𐤌𐤓𐤕** = *غير*.

¹⁶ See *ZDMG.*, XXXV, p. 530.

¹⁷ See Schröder in *ZDMG.*, XXXVII, p. 530 rem.

¹⁸ Praetorius's doubts as to the correctness of this date (*ZDMG.*, XXXV, p. 749) are perfectly justified. If, on the basis of **𐤌𐤓𐤕**, we assume the era of the Martyrs, we should gain the year 847. Several letters bear close resemblance to the Zebed inscription.

of a diacritical point than the inscription of Baṣra which dates from the *twelfth* century.¹⁹ On the other hand we find dots on gold dīnārs dating from A.H. 82 (701)²⁰ and the next following years. A peculiarity of these coins is that double dots are placed one above the other. In its earlier stages the system was far from being fixed. This is confirmed by a document on papyrus dated A.H. 90 (709),²¹ in which double dots run in a slanting direction, but on the whole dots are employed very sparingly. Also in the well-known Arabic passport dated A.H. 133 (750),²² which was granted to a Copt, all diacritical points are missing. In a genealogical work written in Cufic characters (MS. Berlin, fol. N.R. 37 a), dating from the *eighth* century, stacks of three small slanting strokes over ث stand for dots. In other manuscripts (e.g. Brit. Mus. Or. 1270-3326) the three dots over ش are written in a row.

As is well known, in the Maghribine style of writing, which is a direct descendant from the Cufic writing, ف has its dot below ب, and ق only one dot above ف. In Cufic manuscripts of the Qorān, coloured or gold dots stand occasionally for *hamza*, *jazm*, and *tanwīn*,²³ but chiefly for vowels as we shall see later on. In several of these manuscripts small black strokes take the place of diacritical points, but they seem to have been added later.²⁴ As these specimens are chiefly known from fragments it is impossible to ascertain their exact dates, but the practice

¹⁹ See ZDMG., XXXI, p. 135; see also van Berchem, *CIAr. Mém. miss. arch.* 1894.

²⁰ See St. L. Poole, *The Coins of the Eastern Khaleefs*, I, p. 1 sqq.

²¹ See Becker, *Papyrus Schott-Reinhardt*.

²² ZDMG., XXXIV, pp. 685 sqq.

²³ See also Nöldeke, *Geschichte des Qorān*, pp. 326 sqq.

²⁴ See Möller, *Palaographische Beiträge aus den herzoglichen Sammlungen in Gotha*, tables IV to VI, XII.

of using coloured dots seems to have lasted some time, developing a great variety. In one specimen the diacritical points appear as horizontal green lines.²⁵

It is beyond doubt that the diacritical points in Arabic took their origin from Syriac. This, however, does not explain everything, especially the three dots over ث and ش. As for the latter, it may be suggested with some show of reason that the three dots which, as we have seen, stand in a straight line, represent the three heads of the 𐤃 in Nabataean and Palmyrene, or Hebrew square writing. We have also seen that the dot over 𐤃 was probably anterior to that over 𐤄. As Arabic ش, as a rule, corresponds to Hebrew 𐤃, and *vice versa*, we might further suggest that ش had originally but one dot. In Cufic Qorāns a small slanting stroke in black is placed over each head,²⁶ whilst ث is marked by a group of three black parallel strokes. The three dots in the ordinary Naskhi are probably the result of analogy, on account of the near relation of these two consonants. The hard ٲ has therefore only two dots. The dots below ٲ were most probably derived from Syriac.

In every newly introduced system it is the first steps which are uncertain and tentative. As soon as the initial stages are overcome, spontaneity has a fair amount of free play. In the Arabic alphabet many groups of consonants of quite heterogeneous character assumed uniform shapes by force of circumstances which—by the way—can be easily accounted for. For the ordinary reader, then, the necessity arose of obviating the difficulty created by this uniformity. How many were there who could read a Cufic Qorān fluently? The dots over ځ, ذ, ځ, ځ, ځ, ځ, and under

²⁵ *Ibid.*, table VIII, 3.

²⁶ *Ibid.*, tables VI and VIII.

ب were probably the result of deliberate contrivance by early copyists and school teachers. In secular works the dots were frequently neglected, perhaps with the intention of putting them in afterwards. They were not even missed, as nearly all these books were written for educated readers.²⁷ Authors, therefore, saw themselves frequently compelled, when quoting names of persons and places, to give the full spelling, including the numbers and positions of dots, to prevent misreading. There exists also a special terminology for letters with and without dots. Sylvestre de Sacy²⁸ is of opinion that the use of diacritical points is posterior to that of vowel signs. In Cufic fragments the opposite seems to be the case, but of this anon. A calculated extension of the dot system appears in a large number of non-Semitic languages which have adopted the Arabic alphabet for such modified sounds as do not exist in Arabic. The close relationship prevailing between the diacritical points of Arabic and Syriac is best shown in Kārshūni, i. e. Arabic in Syriac characters, but no uniform system prevails. Whilst many manuscripts simply use the Nestorian system, a printed prayer-book in my possession follows a more elaborate plan.²⁹ Arabic in Hebrew square characters, of which there exists a vast literature, has also introduced several modifications of a simple character.³⁰

²⁷ Especially letters; see also *Arabische Urkunden*, &c., ed. Abel, Berlin, 1900. Even in a letter dated A. H. 300 dots are very sparsely used.

²⁸ *Grammaire arabe*, 2^{me} éd., I, pp. 11 sqq.

²⁹ The title page is missing, but the appearance of the book suggests the seventeenth century. The following modifications are in use: ج = ج; ط = ط; د and د = خ; ث = ث; غ = غ; see also the specimen in Land, *Anecdota Syriaca*, I, p. 90 and table XVIII, and the manuscripts of the British Museum Egerton 703; Or. 5911, &c.

³⁰ With dot either above or below د = ج; د = خ; د with or without dot = ن; د = غ; د = ث.

III. THE DOT VOCALIC.

In early Aramaic inscriptions vowels, long or short, are found graphically expressed by means of the vowel letters א, י, and ו. As this method was the exception rather than the rule, it afforded little help for reading written documents. Syriac authors and copyists, therefore, felt the necessity of obviating any possible ambiguity arising out of the equal spelling of words of different reading and meaning. An ingenious way out of the difficulty was found as early as the fifth century by placing a dot above a consonant to indicate the vowels *a* and *o*; and below for *e*, *i*, and *u*. Whence this idea was derived is not known, but possibly the vowel letters were in the first stage written bodily above and below, and were subsequently reduced to dots. For quite a number of words of one or two syllables this was sufficient, but was inadequate for longer words. Actual difficulties seem to have arisen which called for adjustment. Nestorians not only retained the dot arrangement, but enlarged it to a complete system comprising all vowels, but Jacobites replaced the latter by five vowel signs adapted from the five Greek vowels. Henceforth both systems lived side by side. For details see the Syriac grammar books.

A peculiarly mixed system was evolved in Hebrew, mixed in a double sense. There are in the first instance the two varieties of the Babylonian system in which real vowel signs are intermixed with dot vowels. Exactly the same is the case with the Tiberian systems. There exists another affinity between both systems, but I am not aware if it has been pointed out before or not; it seems to point to a common origin of both. In either system *pataḥ* and *qāmeṣ* are expressed by real vowel signs, but the other

vowels by dots. This means that for short *a* and long *a* the ancient Syriac dot above was not considered suitable. As to the origin of these vowel signs in both systems opinions vary, but this makes no difference, since whether they were developed from the Jacobite *p'taḥā*, or from the Arabic *fathā*, they can both be traced back to the *ā* of old. It cannot be denied that Arabic influence is manifest in the names of these vowels, although their invention may be posterior to that of the vowel signs themselves. However this may be, dots or groups of dots are used in both systems for *ḥireq*, *ṣērē*, and toneless *seghōl*. As to the relation of these vowels to the dot below in the first Syriac system, it is too obvious to need any further demonstration. The double dot in *ṣērē* is probably a copy of the Nestorian sign (⸏), but placed horizontally. More difficult is it to account for the third dot in the Tiberian *sēghōl*. In the superlinear system accentuated *sēghōl* is not distinguished from *pataḥ*, which is probably due to Arabic influence. The three-dotted *sēghōl* seems to be nothing but *ṣērē* with a dot added, primarily for the benefit of school children. As to the three slanting dots of *qibbūs*, I consider them older than the *shūreq*. We see in it again the Syriac dot below with the addition of two more dots, whilst the slanting direction was dictated by the necessity of keeping them clear of the other vowels and *shevā*. The *wāw* has no room for three slanting dots, so when used as *mater lectionis* it has to be satisfied with one dot.

The Tiberian system employs two dots placed one above the other to express vowellessness. The late Prof. Graetz seems to be right in alleging that in the tenth century no difference was made between the two kinds of *shevā*. The precision with which later grammarians

distinguished between both seems to have been unknown to the earlier ones. Even medieval Jewish grammarians did not recognize the *shevā medium*. This produced an uncertainty which caused some laxity in the treatment of the syllable, and which was probably the reason why Hebrew poets of the Middle Ages took liberties by opening closed syllables and closing open ones. This ambiguity found a fitting expression in the use of the same sign for both kinds of syllables as well as for the grace note at the beginning of words. Its origin was probably the Syriac sign for the short *ē* (—), but in Hebrew the two dots were placed vertically to prevent them being taken for *šērē*. At the end of the word it is omitted in the superlinear system, whilst in the Tiberian style it is retained in *ḥ*, but is frequently absent in Qaraite manuscripts. In the Babylonian system it has the shape of a horizontal stroke, but in connexion with the two horizontal dots of *šērē* it stands for *shevā compositum*.

It does not seem sufficiently realized that a complete system of dot vowels also existed in Arabic, but was confined to Cufic Qorāns in the following manner. Red dots above stand for *fatha* and *damma*, while the dot below means *kesra*. This again is quite in accordance with the first Syriac system, and was without doubt borrowed from it. New, however, in this respect are the two red or green dots placed one above the other to stand for *tanwīn* with *damma* or *kesra*, whilst placed horizontally they are meant for *tanwīn* with *fatha*, and occasionally for *kesra*. In many instances there appears only one dot, but it should be understood that there are many fragments without any dots. In order to distinguish these dots from the diacritical points the latter, as mentioned before, appear

frequently as slanting strokes in black or green. These strokes are often not larger than dots. The size of the coloured dots, combined with the narrowness of the lines, make it often doubtful to which word or letter the dots belong. Questions of space occasionally caused the dots to be placed horizontally instead of vertically. In some few cases *jazm* is rendered by a complete green circle below or above the letter.³¹

It is now abundantly clear that there exists an historical connexion between all these dot systems which, from small beginnings, expanded into manifold ramifications. The question is now whether it also embraced the Ethiopic alphabet. No dots are visible in the old inscriptions, as far as we know them, or in manuscripts of later date. The Ethiopic alphabet was originally purely consonantic, as in the other Semitic languages, but instead of developing detached vowel signs, the alphabet assumed a syllabic character, vowels being marked by small strokes, hooks, and small rings attached to the bodies of the consonants.³² Now the late Prof. Dillmann,³³ whilst rejecting De Sacy's opinion that these vowel signs were modelled on Greek vowels, flatly denied any foreign influence, especially on the part of the Syrian 'new' system, and styled their invention a 'deed of the Abyssinian people'. He was also of opinion that the small square hooks and rings in which many of these vowel signs end were but ornamental, and that the connecting strokes which often appear as a mere lengthening of the letter constituted the main element of the vowel.

³¹ See Möller, *l.c.*, tables III and VII.

³² See Taylor, *l.c.*, I, pp. 338 and 349.

³³ *Grammatik der aethiopischen Sprache*, p. 20.

Now this seems to me to be contrary to all we know about the rule of developments. As is well known the Ethiopic alphabet is indirectly an offspring of ancient Semitic writing. The Syriac system of dots had long been in existence when Ethiopic began to be written, and since both Syrians and Ethiopians were Christians, a literary intercourse between both, at least in matters theological, is certain.³⁴ It is also probable that the Hebrew vowel system was in existence when the Ethiopians began to produce a written literature. It is likewise an acknowledged fact that in the treatment of certain consonants, notably gutturals, as well as in the vocabulary, Ethiopic has much in common with Hebrew. It is therefore admissible that the vowel systems prevailing in Syriac and Hebrew were known to early Ethiopic writers, and used by them as models. Several of the Ethiopic vowel signs betray their origin unmistakably. The dot below standing for *i* in Syriac, Hebrew, and Cufic Qorāns appears in twenty-four out of the twenty-six Ethiopic consonants. Only in two (𐤀 and 𐤁) it turns upwards, but is kept at the bottom. In this manner just the little cornery ends, which Dillmann considered ornamental, represent the vowel, whilst the small strokes only serve as bridges due to the rapid course of the pen. The Ethiopic consonants are little suited to be equipped with detached dots and vowel signs. They are too curvilinear and bulky to harmonize with small dots above and below them, and it seems natural that the latter were attached to the body of the consonant for their own good. Some of the details are, of course, a mere matter of speculation, but this is not without a basis. The

³⁴ See Fell, 'Die Christenverfolgung in Südarabien', *ZDMG.*, XXXV, pp. 1 sqq.

following are a few suggestions. The unadorned letter carries plain *a* with it. This possibly dates from a time when *alf* (𐤀) headed the alphabet with *a* as its natural vowel.³⁵ As to long *ā* it is expressed in the majority of letters by the lengthening of the right foot. This looks like an absorbed *qāmeṣ*, but I lay stress on the fact that with *Ṕ* (*wa*) this lengthening runs straight down in the middle of the letter. In six letters the prolongation is bent (at right angles) to the left, simply because more lengthening would have meant nothing. The sign for *ū* in the middle of the letter seems to have its origin in *shūrēq*. It is written on the right side, instead of on the left, because Ethiopic is written from left to right. Long *ō* is expressed in ten letters by a little ring on the right-hand top corner, corresponding to *hōlem* on the left top corner in Hebrew. Now we must consider that *ō* in Ethiopic is not an original vowel, but, as Dillmann has shown, is either a modified *ā* or *ū*, or the diphthong *a+u*. In fourteen letters *ō* is expressed by the lengthening of the left foot, but in one letter, viz. *Ṗ* (*mō*), this runs perpendicularly down near the middle. We have seen above that exactly the same is the case with *Ṕ*. The *ō* in *Ṗ* might therefore be tantamount to the unadorned letter carrying plain *a* plus the *wa* attached to the bottom. It was attached to the left loop, because the protuberance of the right loop was preserved for long *ā*. That no fixed system was employed originally we see from the alphabet of the Rueppell inscriptions,³⁶ the characters of which hold about the middle between South Arabian and Ethiopic writing.

³⁵ In the Rueppell inscriptions *alf* strongly resembles the ancient Canaanite *aleph*.

³⁶ *l. c.*; see also Dillmann, *l. c.*, plate A.

In these inscriptions *waw* with \bar{o} has two forms, one with a small stroke coming out near the bottom on the left-hand side, and a small circle on the right-hand top corner. *Kaf* (**h**) has in one case the left foot lengthened, and in another a small circle at the bottom on the right side, which shows that convenience was an important factor in the final arrangement of these vowel signs. As to the small circle for \bar{e} on the right bottom corner, it is either an adoption from the Syriac two dots, or of the Hebrew *šērē*, but written in one movement of the pen. Regarding the sign for vowellessness (\bar{e}) we may be permitted to refer to the Nestorian double dots and the Hebrew *shevā*, which as one solitary dot was attached to any convenient spot of the consonant where it does not interfere with any other vowel sign. Even if everything cannot be cleared up on this question, there can be little doubt that an independent production of the Ethiopic vowel system should be denied, and that it falls into line with the systems of the sister languages.

IV. THE DOT GRAMMATICAL.

The galaxy of dots discussed in the preceding pages is still considerably augmented, and even surpassed in importance, by a new series with grammatical functions. We begin again with Syriac, which was probably the first of the Semitic dialects to mark the hard pronunciation of the consonants with double values by placing a dot, generally of somewhat larger size than the diacritical dot, above the letter. The soft pronunciation was indicated by a dot below. In some manuscripts, especially in texts with Nestorian vowel signs, these dots are written in red ink in order to avoid confusion. The two dots denoting

the plural have been mentioned before. Another dot placed is the so-termed *mephaggedānā*, which serves to distinguish the *third* person singular *feminine* of the past tense from the *second* person singular *masculine*, and the *first* person. Also the construct state of nominal forms of feminine gender is often so marked. The difficulty of avoiding confusion is obvious. Fortunately in many manuscripts the employment of these dots is restricted to cases of ambiguity. The Nestorians neglected the last-named dot entirely, and distinguished the third person fem. sing. of the past tense by two dots standing for short ʾ (⋯). Finally, there remains to be mentioned the dot over ʿ (maḥḥiq), which denotes the suffix *fem. sing.*

This same dot serves in Hebrew as a sign that quiescent letters are in certain instances to be pronounced as full consonants. Its place is not, however, at the top of the letter, as is found in some manuscripts,³⁷ but within its body, with the exception of ʾ, which has no room for a dot. It is probable that this practice was likewise modelled on Syriac precedence, and that the removal of the dot inside the body of the letter was in order to prevent its being mistaken for *hōlem*. Now there are two other classes of dots which are responsible in Hebrew for a host of rules which are not without ambiguities and differences of opinion. Although these two classes are totally different in character, they both share the name of *dāḡesh*. One of these classes is again divided into a number of subdivisions, unknown to early grammarians, but classified in our grammar books by a list of Latin names which in reality are mere labels and explain nothing. The general description of this *dāḡesh* as 'cuphonic' is

³⁷ See Kahle, *Die Masoreten des Ostens*, p. 163.

quite inadequate, and has only been chosen for want of a better name. There is one consonant which by the orthodox rule of grammar is declared incapable of harbouring this euphonic *dāḡesh forte*, viz. ך. Yet there are about twenty instances in the Old Testament in which this letter is marked by a dot inside,³⁸ and they form notable exceptions to the many hundreds of instances in which this letter does not take the dot, and other means are resorted to to conform to the rule. What we must attempt to find a reason for is the exemption of this letter from restrictions. If we examine all the cases of ך we can divide them into *three* groups: *first*, when preceded by a short, toneless vowel with sharpened syllable, e.g. פָּרַח (Ezek. 16. 4), שָׁרַח (ibid.), כָּרַח (Prov. 14. 10); *second*, with so-called *dāḡesh dirimens*, e.g. הִרְיֹבֶהָ (Judges 20. 43); *third*, after *dāḡesh forte conjunctivum*, e.g. כִּנְעִי-רַחֵם (Prov. 15. 1). I am here chiefly concerned with the first group, because the other two are somewhat doubtful, and not even recognized by some important authorities on Māsorāh (Norzi). Now I venture to suggest that in the instances of the first group the dot is *ab ovo* no *dāḡesh* at all, but was originally a small ך written inside the other to show that the toneless first syllable (פָּרַ) was short and read with a short vowel which was to be prevented from being spoken long. The idea was to allow the ך its full consonantic force. Arabic, as is well known, insists upon doubling the , after the definite article.

If the real nature of the dot in the ך, as suggested above, be conceded, that in the other groups can, then, easily be explained by the law of analogy. There is ample evidence in Semitic languages to show that reading

³⁸ See Gesenius, *Hebrew Grammar*, § 22 s.

signs had their origin in reduced letters. Some instances have been given before. As to Arabic, *hamza*, *madda*, *waṣla*, and *tashdīd* have all a similar origin. In the MS. Cod. Berlin Or. qu. 680 (dating from the eleventh century), which is provided with superlinear vowel points, *dāḡesh* is frequently expressed by a small ֿ³⁹ written above the letter. In other Babylonian manuscripts, including the famous Cod. Petropolit., *dāḡesh* is a dot placed inside the letter, just as in Tiberian codices.

In a lengthy article the late Prof. Graetz,⁴⁰ discussing the various aspects of the *dāḡesh*, justly deprecates the artificial classification of the 'euphonic' *dāḡesh*, as digested in modern works on Hebrew grammar. Although this classification is useful for purposes of method, it does not really explain the nature of the various categories. Graetz replaces these by a number of others not less artificial, but actually larger in number. If Arabic permits the doubling of any consonant without exception, something similar must have existed in early Hebrew speech. Evidence of this is the 'virtualing', which is nothing but an unwritten *dāḡesh forte*, and there is at least one guttural (ח) which in this emergency is considerably strengthened. So complicated a structure as the theory of the *dāḡesh* cannot have existed in the minds of the earliest punctuators. It is surely much simpler to assume that whenever it was feared that the strength of a consonant might be affected, precautions had to be taken to assist it in maintaining its nature. This was first of all the case with the liquids, and the soft ר in particular, and a small ר inserted in the latter

³⁹ Kahle, *l. c.*, p. 167, par. 223.

⁴⁰ *Monatsschrift für Geschichte und Wissenschaft des Judenthums*, 1887, pp. 425 sqq.

served the purpose to perfection. There is nothing objectionable in the suggestion that it subsequently shrank to a mere dot. It is, then, only one step further to apply the same theory to $\dot{\text{ב}}$ with *dāgesh forte affectuosum*, and the other liquids marked with the *d. f. firmativum*. In reality all these are not instances of doubling the letter, but of protection and preservation. The practice of using a reduced specimen of the same consonant once introduced, it could be applied to other letters, and there is really no reason why even the *dāgesh forte necessarium*, as well as the *dāgesh lene*, should not owe their origin to exactly the same procedure. Dr. Kahle styles the *dāgesh* a degeneration from ב .⁴¹ Now although he only speaks of superlinear texts, we are entitled to extend the theory to the Tiberian system, whence it found its way to the eastern codices. It is true that it exists in the Cod. Petropolitanus, but, on the other hand, there are many Qaraite manuscripts provided with the Tiberian vowel system, but not showing a single *dāgesh* of either class. Some of these manuscripts are of comparatively recent date. It is difficult to find a reason for this laxity, if we are entitled to call it so. As these manuscripts here alluded to contain commentaries on biblical books by Yepheth b. Ali,⁴² it seems probable that they represent several generations of copies faithfully following the style of the archetype. Since Yepheth was a very prolific writer, we may infer that at the turn of the eleventh century the use of the *dāgesh* was still in an unsettled condition. This is all the more strange as Yepheth lived in Jerusalem, and was probably more familiar with the Tiberian system than with the superlinear one.⁴³

⁴¹ *I. c.*, p. 168.

⁴² See my Yepheth b. Ali's Arabic commentary on Nahum, p. 12.

⁴³ The peculiar employment of dots in the specimens of shorthand

The question now arises why of all Semitic languages Hebrew alone developed so complicated a *dāḡesh* system. This may be accounted for by two reasons; one grammatical, taking into consideration the peculiar nature of the Hebrew syllable; the other, ritual, it having proved incumbent to train suitable persons in the reading of the Law during divine worship with minute exactness. For Syriac and Ethiopic this necessity did not exist. As to the latter, I have to record the exceptional phenomenon found in the manuscript of an Ethiopic-Falāsi glossary.⁴⁴ The author of this glossary seems to have been a Falāsi who had some knowledge of Hebrew grammar, and perceived the appropriateness of the *dāḡesh forte* to mark double dots in both languages. He placed his dots, however, above the letters, probably for the reason that the Ethiopic alphabet is not suitable for the insertion of dots without causing great inconvenience.

In fifteen passages of the Hebrew Bible single letters as well as whole words are marked by dots which have none of the functions discussed in the preceding pages. These dots were placed there by the Masoretes for purposes of textual criticism. As these matters have been dealt with in detail in special treatises,⁴⁵ there is no need to dwell on them at any length. Finally, there remains to be mentioned that in ancient tomb-stones,⁴⁶ manuscripts, and printed books, dots are placed on top of letters to indicate abridged words, initials, and quotations from the Bible.

writing (twelfth century), published by Kahle in *ZAW.*, XXI, pp. 273 sqq., does not, strictly speaking, touch our subject.

⁴⁴ Published in *JRAS.*, 1919-1920.

⁴⁵ See Blau, *Masoretische Untersuchungen*, pp. 62 sqq.

⁴⁶ See *Palaograph. Soc.*, plate 29, dated 1718.

A PHARMACOLOGICAL STUDY OF BIBLICAL 'GOURDS'

BY DAVID I. MACHT, Johns Hopkins University.

TWO Hebrew words are rendered 'gourd' in the Authorized Version, and both of these are of great pharmacological interest from an historical point of view. In Jonah 4. 6-10 the word 'kikayon' is translated 'gourd'. This word, according to many authorities, is the name of *Ricinus communis* or the castor-oil plant. In 2 Kings 4. 39 the Hebrew word 'paḳḳu'ot' is rendered 'wild gourds', and this plant is of even greater interest from the pharmacological and toxicological points of view. The writer has been interested in the latter passage, and has carried out some investigations on the subject, of which it is proposed to give a brief outline in this place.

The particular passage to which we are referring describes the accidental poisoning of a band of prophets and the means employed by their leader, the prophet Elisha, in combating it. The narrative reads as follows :

'And Elisha returned to Gilgal ; and there was a famine in the land ; and the sons of the prophets were sitting before him ; and he said unto his servant, " Set on the large pot, and seethe pottage for the sons of the prophets."

'And one went out into the field to gather herbs, and found a wild vine, and gathered thereof paḳḳu'ot his lapful, and came and shred them into the pottage ; for they knew them not.

'So they poured for the men to eat. And it came to

pass as they were eating of the pottage, that they cried out, and said, "O thou man of God, there is death in the pot!" and they could not eat thereof.

'But he said, "Then bring meal." And he cast it into the pot; and he said, "Pour out for the people that they may eat." And there was no harm in the pot.' (2 Kings 4. 38-41.)

The points of query suggested by the above passage and calling for elucidation are, first, what is meant by 'paḳḳu'ot'; secondly, what are its pharmacological properties; and thirdly, the most interesting of all, what can we say of the antidote here employed in the light of modern science? In order to shed light on these questions, it was necessary not only to gather, sift, and analyse a good deal of historical, philological, archaeological, and botanical data, but also to perform a number of original pharmacological and toxicological experiments. The results of these inquiries and experiments we shall now proceed to describe.

On the Meaning of Paḳḳu'ot.

The Hebrew word 'paḳḳu'ot' is rendered in the Authorized Version 'wild gourds', which, of course may mean anything or nothing. All biblical scholars and students of comparative philology, however, are agreed that the word 'paḳḳu'ot' must mean either the *colocynth* or the *claterium* fruit. The etymology of the word, from the root 'paḳa', to burst or to break open, may apply appropriately to either one. *Ecballium Elaterium*, or the 'squirting cucumber', owes its name to the peculiar character of its fruit which bursts open when ripe, ejecting the seeds mixed with a mucilaginous liquid. The *colocynth* fruit, when ripe and dry, is also easily burst open at the slightest touch.

Professor Haupt suggests that the root 'paḵa', to burst or break through or open, may also refer to the drastic effects of the drugs, both of which, as is well known, are violent purgatives and may produce vomiting (cf. the German word *brechen*, to vomit). The Septuagintal rendering *τολύπη* refers to the round fruit of *Citrullus Colocynthis*. The Vulgate has *Colocynthides* (cf. Pliny, xx. 14).

While the term 'paḵku'ot' may from the etymological point of view denote equally well the colocynth or elaterium fruit, there is other evidence, botanical and archaeological, which seems to point to the colocynth as the correct translation. *Ecballium Elaterium* (in Arabic, *kitha el-himar*) is a common plant in Mediterranean countries, but it could not with any propriety, as pointed out by Post,¹ be called a vine, for it is destitute of tendrils. According to Baillon, it is 'une herbe couchée sans vrilles'—a decumbent herb, without tendrils.² The *Citrullus Colocynthis*, on the other hand, is a true vine growing prostrate on the ground, but trailing by means of its powerful tendrils over shrubs and herbs. This plant is also common in the Jordan Valley, but is rare in the hill-country of Ephraim; so that the men who gathered it mistook it for another plant of the same family, the *Cucumis Prophetarum*, or globe cucumber, common in Samaria.

Still further evidence, suggesting that 'paḵku'ot', or wild gourds, denotes the *Colocynth*, is the fact that we find the same term applied to the architectural ornaments mentioned in the Bible in connexion with the Temple. In 1 Kings 6. 18 the word 'p'ḵa'im', or colocynths, is mentioned as an ornamental design in the interior woodwork of King

¹ Post, in *Hastings' Dictionary of the Bible*, vol. II, p. 250 a.

² Baillon, *Dictionnaire de Botanique*, 1866, t. 2, p. 493.

Solomon's temple; and in 1 Kings 7. 24 the same word is used to designate the ornaments encircling the molten sea or great brazen cistern in the Holy Temple. The elegant orange-shaped fruit of the colocynth plant lends itself well for ornamental purposes, whereas the small olive-shaped fruit of the *Ecballium Elaterium* is by no means so beautiful or attractive.^{3 5}

What do we know in regard to the poisonous properties of either the colocynth or elaterium? Before proceeding to discuss the toxicology of these plants, it may be well to describe briefly their physical and chemical characters.

Pharmacognosy.

Both the colocynth and the elaterium plants belong to the family of the Cucurbitaceae or the pumpkin family. The colocynth fruit, *Fructus Colocynthis*, or the English *bitter apple*, and German *Koloquinte*, is the fruit of the plant *Citrullus Colocynthis*, a slender scabrous plant with a perennial root, a native of warm and dry regions in the Old World. It is found in the Mediterranean regions, in Arabia, Syria, and some of the Greek Islands. It grows in immense quantities in Upper Egypt and Morocco, and is also found in some parts of Spain and Portugal. The plant bears yellow monoecious flowers, deeply lobed leaves and well-developed tendrils which enable it to trail over other plants. The fruit, which is globular in shape, resembles an orange and has a smooth, marbled-green surface, being from 5 to 10 cm. or from 2 to 4 inches in diameter. For medicinal purposes, the colocynth fruit

³ *Jewish Encyclopedia*, vol. III, p. 357.

⁴ Nowack, *Lehrbuch der hebräischen Archæologie*, 1894, II, p. 42.

⁵ Benzinger, *Archæologie*, 1894, p. 252.

is dried in the sun, then peeled, and is sold in this form in the market. The pulp is white, very light and spongy, and is readily separable longitudinally into three carpels, each containing numerous flat, ovate, white or light brown seeds. It is the pulp which is purgative in its nature. The seeds are not laxative at all and are said to be used in some parts of Africa for food.⁶ The active constituents of the colocynth fruits are at least two: one being the glucosid colocynthin, having the empirical formula, $C_{56}H_{84}O_{23}$, from which colocynthein may be obtained by hydrolysis; the other is a closely related body named colocynthitin. Both of these principles are drastic purgatives.⁷

The elaterium fruit comes from the *Ecballium Elaterium*, Rich. (*Momordica Elaterium*, L.), a coarse, hispid, fleshy decumbent plant without tendrils, having a thick white perennial root. It is also common throughout the Mediterranean region, extending eastward as far as southern Russia and Persia, and westward to Portugal. The fruit is ovoid and oblong and nodding, about 1.5 to 3 cm. long with numerous short prickles terminating in white elongated points. It is attached by a long scabrous peduncle, is fleshy and green while young, becoming slightly yellowish when matured. It is three-celled and contains numerous oblong seeds lodged in a very bitter succulent pulp. The fruit when ripe separates suddenly from the stalk on the slightest jarring, and at the same moment, the seeds and juice are forcibly expelled from the aperture left by the detached peduncle. Hence the name 'squirting cucumber'.

Several active principles have been isolated from the elaterium, the principal one, *elaterin*, being a crystalline

⁶ Pickering, *History of Plants*, 1879, p. 219.

⁷ Husemann und Hilger, *Pflanzenstoffe*, Berlin, 1889, p. 1347.

body with a formula, $C_{27}H_{28}O_5$. Other constituents described are hydroelaterin, prophetin, and ecballin or elateric acid.⁸ Both the colocynth and elaterium plants have been known from remote antiquity, and are mentioned by ancient writers—Pliny, Dioscorides, Theophrastus, and others.⁹⁻¹²

Toxicology.

Colocynth and elaterium are well known in therapeutics as powerful or drastic purgatives, and even small doses of these drugs sometimes produce great irritation of the intestines. Slightly larger doses of the crude drugs, as well as of their active principles, produce a dangerous enteritis, and still larger doses act as violent poisons, leading to death.

The poisonous nature of these drugs was well known in the Orient. C. M. Doughty (*Travels in Arabia Deserta*, Cambridge, 1888, vol. I, p. 132) says of the *Citrullus Colocynthis*: 'To human nature it is of so mortal bitterness that little indeed, and even the leaf, is a most vehement purgative. They say it will leave a man half-dead, and he may only recover his strength by eating flesh meat'.¹³ Cases of poisoning with these drugs are described by the present writer elsewhere.¹⁴

Poisoning with colocynth has, on the whole, been reported more frequently than with elaterin, possibly

⁸ Husemann und Hilger, *Pflanzenstoffe*, Berlin, 1888, p. 1350.

⁹ Flüchiger und Hanbury, *Pharmacographia*, 1879.

¹⁰ Kramer, *Pharmacognosy*, 1917.

¹¹ *United States Dispensatory*, 1917.

¹² *National Dispensatory*, 1917.

¹³ Hastings, *Dictionary of the Bible*, vol. II, p. 286.

¹⁴ Macht, *Johns Hopkins Hospital Bulletin*, February, 1919.

because the bitter apple has been employed to produce abortion.

The symptoms of poisoning by both colocynth and elaterium described by various authors are those arising chiefly from irritation of the gastro-intestinal canal. Vomiting, bloody stools, severe colic, collapse and convulsions, followed by death, constitute the general course of the intoxication. In some cases, symptoms referable to intense irritation of the kidneys are encountered.

The pathological findings reported describe an intense congestion of the stomach and intestines with ecchymoses and bloody serofibrinous exudates with adhesions. In more protracted cases, more or less extensive peritonitis with matting of the intestines and congestion of the kidneys, liver, and spleen, have been noted. The lumen of the intestines may actually be obliterated by the fibrinous exudate and adhesions of the intestinal walls.

Toxicological Experiments.

In order to study the symptoms of colocynth and elaterium poisoning more in detail, and in order to visualize more exactly what took place in the case of poisoning which we are discussing, and especially in order to determine the value of the antidote employed in that case the author has performed a number of toxicological experiments on dogs. In connexion with these experiments, it was interesting to note a toxic symptom, which is not mentioned by most authors on the subject and not emphasized sufficiently by those who have noted it, and which is especially interesting in connexion with the passage before us. In my experiments I made use of infusions of either colocynth

apples or the crude elaterium which can be bought in the market. The drugs were roughly cut up or ground up, and infusions were made by boiling them in ordinary tap water in a casserole with or without the addition of a little common table salt. This corresponded roughly to the conditions obtained in the case of the prophets. After the mixture had been boiled for half-an-hour or longer, the resulting infusion was strained through coarse cheese-cloth and was administered cold to the dogs through a stomach-tube. The symptoms following the administration may be divided into two groups, the primary and the secondary. The most striking primary symptom consisted of a profuse salivation which occurred even when the drugs were introduced through the stomach-tube, enough of the infusion coming in contact with the mucous membranes of the mouth when the stomach-tube was withdrawn to produce this irritation. The salivation was very intense; the animals foaming at the mouth more than after a dose of pilocarpin. This primary symptom, so little emphasized by other writers, is quite sufficient to account for the exclamation of the victims, 'There is death in the pot!' Vomiting was occasionally noted soon after administration of the infusions of colocynth.

An almost precisely similar primary salivation followed the introduction of an elaterium infusion into the animal's stomach. Following the primary salivation and occasional vomiting, the secondary or later symptoms of colocynth or elaterium poisoning did not come on until an hour or two later. These began with violent purging, soon followed by bloody stools, collapse, and depression. After large doses of either drug (the quantities described below), the animals were generally found dead on the following day. At

autopsy, the anatomical findings were: intense inflammation of the stomach and especially the intestines, with bloody exudate and adhesions, occasional peritonitis, and intense congestion of the liver and the kidneys.

In view of the marked irritation and destructive lesions just described, it is especially interesting to turn our attention now to the most perplexing feature of our narrative, namely, the antidote administered or employed by the prophet Elisha to antagonize the effects of the poison.

On Flour as an Antidote.

In order to ascertain whether the method employed by Elisha can be explained on a natural basis, the author in a purely scientific and impersonal manner carried out two series of experiments. In the one series, a number of dogs were given colocynth or elaterium infusions straight, that is, without the admixture of any other substance. In the other series exactly the same quantities of the infusions in proportion to the animal's weight or even larger doses of the poisons were administered after previous admixture with ordinary corn and wheat flour. The results of these experiments are very interesting and enlightening and may be best illustrated by the following protocols:

Exp. V, October 7. White dog weighing 7.1 kilos.

Five colocynth apples, weighing together 40 gm., were cut up and boiled with 750 cc. of tap-water. The mixture was boiled until the volume was reduced to 500 cc. It was then strained through coarse cheese-cloth and one-half of the infusion, or 250 cc., were given to the animal through the stomach-tube, about 2 p.m. Immediately after the

removal of the stomach-tube the dog became most violently salivated, foaming and frothing at the mouth so that the whole cage was bespattered with saliva. A little of the infusion plus stomach contents was vomited out. Two hours later, the animal was violently and repeatedly purged, the stools being fluid and tinged with blood. During the night, the frequent stools continued and assumed a much more bloody character. On the following morning the animal was found dead. The autopsy revealed a violent congestion of the stomach, especially of the small intestine. The intestines were filled with a bloody exudate, and, in some places, were stuck together by fibrinous adhesions. The liver also was congested and the kidneys to a very marked degree.

Exp. VI, October 7. Brown dog weighing 6 kilos.

Forty grammes of colocynth apples were cut up and mixed with 60 gm. of flour (equal parts of wheat and corn) and 1000 cc. of tap-water. The mixture was boiled until the total volume was reduced to 500 cc. It was then strained, in order to remove the seeds and debris, through a coarse cheese-cloth, and 250 cc. of the broth were administered to the dog through a stomach-tube exactly as in the preceding experiment, about 2.15 p.m. On removal of the stomach-tube, there was no vomiting and practically no salivation noted. About two hours later, the animal passed several normal stools, but no blood was noted in them, neither was there any blood noted in the stools passed during the night. On the 8th, the animal was lying slightly depressed and still had diarrhoea, but ate the food offered it. On the 9th, the animal was apparently completely recovered, running about in a lively fashion.

On comparing the two experiments described above, it will be seen that in the case of the dog to which the pure infusion of colocynth was administered, both the primary

and the later symptoms of colocynth poisoning were very markedly developed, and in this respect differed from those noted in the other animal. The white dog was very profoundly salivated ; indeed, the salivation was more marked than that noted by the author after any other poison. Violent irritation of the bowels very early manifested itself as indicated by the bloody stool, and the animal died within eighteen hours.

In the dog to which the infusion of colocynth was administered together with flour, the symptoms were not at all so striking. There was practically no salivation at all and no vomiting, nor did the stools indicate any violent irritation of the intestinal mucosa, and the animal recovered completely within two days.

Exactly similar results were noted in experiments with elaterium.

Discussion.

To the superficial reader of the Bible and to a class of destructive critics who are prone to condemn any statement in that Book which does not accord with their own personal subjective views, as an impossibility or a figment of the imagination or as a perversion of the original text, the results of the above investigations may appear unexpected and possibly even disappointing. To the truly unbiased scientific mind, however, which does not condemn or disbelieve anything, but only demands facts and proofs, the above experiments are not altogether surprising, and the biblical narrative which we are discussing does not appear at all improbable. In fact, the results of the experiments just described well agree with the teachings of modern chemistry and pharmacology. Recent advances in those

sciences have revealed the very important *rôle* played in the physiological economy of animal organisms by the so-called 'colloid' substances. It has been shown that an admixture of colloidal and even of non-colloidal but inert and inactive matter to various foods and drugs may profoundly influence their absorption and their action. Thus, for instance, Mendel and Lewis¹⁵ in a paper on 'The Rate of Elimination of Nitrogen as influenced by Diet and other Factors', have found that with a definite diet it is always possible to get a definite typical curve of nitrogen elimination. On the addition, however, of various inert or colloidal substances, such as minerals, vaseline, bone-ash, filter paper, cork, agar-agar, &c., to exactly the same diet, the curve is entirely changed, and the rate of nitrogen elimination in such cases is greatly delayed.

Again, Fantus¹⁶ and others have found that admixture of kaolin and other inert matter may greatly modify the action of strychnin and other poisons. It is, therefore, not entirely surprising to find that flour or meal should profoundly modify the action of the infusions of colocynth or elaterium and render them innocuous, and the popular first aid maxim to give flour in many cases of poisoning has a real rational basis. What the exact mechanism of this antagonistic action is, is not quite clear, but undoubtedly several factors are involved in the phenomenon. The colloid broth, in the first place, hinders the absorption of the poison; secondly, the flour probably acts as a demulcent and protective to the intestinal walls; and thirdly, this substance must also exert some effect by

¹⁵ Mendel and Lewis, *Journal of Biological Chemistry*, 1913, vol. XVI, p. 19.

¹⁶ Fantus, *Journal A. M. A.*, 1913, vol. LXVII, p. 1838.

virtue of its adsorptive properties.¹⁷ Whatever the exact mechanism of flour as an antidote may be, there can hardly be any doubt as to the plausibility of the biblical narrative before us, and in the light of the experiments performed, the story, if not a miraculous one, certainly attests to the wonderful insight and wisdom and practical experience of the seer Elisha.

¹⁷ Bayliss, *General Physiology*, 1915 (chapter on Surface Action and Colloid Solutions).

AN EXPLANATION OF ABOT VI. 3

BY JOSEPH H. HERTZ, London.

THIS passage in the Baraita קנין תורה, so familiar to us, is on closer examination beset with difficulties which some commentators have not failed to notice. It reads¹:

‘He who learns from his fellow a single chapter, a single rule, a single verse, a single expression, or even a single letter, ought to pay him honour, for so we find with David, King of Israel, who learnt only two things (שלא למד מאחיתפל אלא שני דברים בלבד) from Ahitophel, and yet regarded him as his master, his guide, and his familiar friend, as it is said: But it was thou, a man, mine equal, my guide, and my familiar friend (Ps. 55. 14). Now, is it not an argument from minor to major? If David, the King of Israel, who learned only two things from Ahitophel, regarded him as his master, guide, and familiar friend, how much more ought one who learns from his fellow a chapter, rule, verse, expression, or even a single letter, to pay him honour?’

Now the chief difficulty in this Baraita, in the current version, is that the deducing of the duty of honouring one's fellow for the instruction of ‘even one letter’ from the premise of honouring for ‘two things’, is called a קל והומר. As the text stands, it is really a חומר וקל! Equally puzzling is the special and peculiar stress put on ‘*only* two things’ (אֵלָא שְׁנֵי דְּבָרִים בְּלִבְדָּא).

The commentators felt this logical irregularity and incoherence, and tried in different ways to surmount the

¹ In the translation of the *Authorized Prayer Book*, p. 205.

obstacle.² The usual explanation that because David, though a king, honoured his subject Ahitophel for two teachings received at his hand, therefore an ordinary man should honour his fellow even for a single letter learned from him, is hardly satisfactory.³ Too much has to be read into the argument as it now stands, which by the very nature of a *והומר קל* ought to be obvious and self-evident.

A simple alteration in the text, which was reported to me years ago in the name of some Russian Lamdan, whose name I cannot recall, restores at once the logic of the whole passage. The original unvowelled text had *שְׁנֵי דְבָרִים* *בְּלִבְר*,⁴ which in the course of time was misread *שְׁנֵי דְבָרִים*. Thus David and Ahitophel merely conversed as familiar friends, and still David showed Ahitophel all respect; how much the more should this be the case when one actually does learn from another! Accordingly the Baraita originally read:

‘He who learns from his fellow a single chapter, a

² See e.g. the Spanish preacher R. Joseph Jaabez (15th cent.) על פ' עול וקהו שְׁנֵי המפרשים ז"ל בזה הפסוק, דבישלמא לפרק אי להלכה *a.l.* מס' אבות אחת יש ק"ו אבל לדבור אחד או לאות אחת מה ענין ק"ו? His mystical answer fails of course to meet the case.

R. Hayyim of Walosin, in his Abet commentary רוח חיים, Wilna, 1858, remarks: מזהק"ו מודד שלא למד מאחיתופל רק שני דברים בלבד לבאורה אין למדין על אות אחת. We need not follow him in his Kabbalistic solution of the difficulty.

³ See especially R. Samuel b. Isaac of Uçeda (16th cent.) in his well-known ועוד [צריך] להבין איך דריש ק"ו מודד למי שלא *a.l.* מדרש שמואל למד אלא אות אחת. . . והמפרשים פירשו שבאשר נעריך ערכו של דוד היות צדיק וישר ומלך יִשְׂרָאֵל ואחיתופל רשע ועם כל זה היה נוהג בו כבוד כפי ערך זה יוצא לנו שהלמוד מחברו שהוא שוה אליו ק"ו שצריך לנהוג בו כבוד אפי' על אות אחת, ואין דעתי נוחה מאלו הערכין וכ"ו.

⁴ For this phrase, cf. Mal. 3. 16, *אִם יִדְבַּר אִישׁ אֶל רֵעֵהוּ*; Mekilta Bo, beginning, ed. Friedmann, p. 2, (עם מטה) עמו (הקב"ה) *אִם יִדְבַּר אִישׁ אֶל רֵעֵהוּ* (עם הנביאים) בחול' תוך הכר. . . אף על פי שְׁנֵי דְבָרִים עמהם (עם הנביאים) בחול'.

single rule, a single verse, a single expression, or even a single letter, ought to pay him honour, for so we find with David King of Israel, *who learnt nothing from Ahitophel but merely conversed with him* (אֵלֶּא נִשְׁדָּבְרִים אִלָּא לְמַד מֵאַחִיתָפֶל, בִּלְבָד), and yet regarded him as his master, his guide, and his familiar friend, as it is said: But it was thou, a man, mine equal, my guide, and my familiar friend (Ps. 55. 14). Now, is it not an argument from minor to major? If David, the King of Israel, *who learned nothing from Ahitophel, but merely conversed with him*, regarded him as his master, guide, and familiar friend, how much more ought one who does learn from his fellow a chapter, rule, verse, expression, or even a single letter, to pay him honour?'

Both the suggested original reading and its current form call for some comment:

(1) Ps. 55. 14, cited in the Baraita, is to be taken in connexion with the following verse (15): 'We took sweet counsel together', viz. conversed together as familiar friends.⁵ This makes the inference in our Baraita evident. Also the emphatic אֵלֶּא נִשְׁדָּבְרִים בִּלְבָד after אִלָּא becomes now perfectly intelligible.

(2) The usual reading (שִׁנִּי דְּבָרִים) is very old. It is of interest to note that it is older than Raba, who had the reading שִׁנִּי דְּבָרִים. The Gemara to Kalla, c. viii, which is identical with Abot, c. vi. 3, remarks on the passage in question אִלָּא שְׁנֵי דְּבָרִים, מֵאִי נִיְהוּ? אָמַר רַבָּא וכו'. Thus, Raba, who flourished in the first half of the fourth century, goes on to determine what these two cases were wherein David obtained guidance from Ahitophel.

(3) Our Baraita is anonymous. The previous Agadah, Abot vi. 2, is by R. Joshua b. Levi. Though some texts

⁵ Probably in our text the indication וכו' after וּמִדְּעִי has fallen out.

read 'וכל הלמר מחב' (instead of כל הלמר), which implies that it is the continuation of this Rabbi's saying, it is very doubtful whether he is really its author. Thus Bacher (*Agada der Pal. Amoräer*, i. 137) rightly does not include it among the sayings of R. Joshua b. Levi. In Midrash Ps. c. 55 (ed. Buber, p. 146) there is indeed attributed to him an opinion that David called Ahitophel teacher.⁶ But here too the authorship is problematic, as a comparison of the parallel texts shows (see Buber's note, no. 8).

(4) Moreover, the underlying Agadah as to the relations of David and Ahitophel seems to be of an early date. It is anterior to R. Yohanan (died 280 C.E.)—a contemporary of R. Joshua ben Levi—who amplifies it in Sanh. 106b. Whereas our Baraita only mentions that David called Ahitophel master, guide, and acquaintance, R. Yohanan depicts three stages in their intercourse, during which the prestige of Ahitophel decreased, viz. first David regarded him as his master, then as his colleague, and finally as his disciple. This fact furnishes internal evidence for assuming that our Baraita is of an earlier date.

(5) The usual reading, which appears to have been the current one as far back as the days of Raba, throws a flashlight on the process of transmission of this Baraita. Whatever proofs may or may not be forthcoming that the canonical Mishna was tradited orally, this uncanonical ('extraneous') Mishna found its way from Palestine to Babylon in a written form. Only in a *written text* could a copyist misread שְׁנֵי דְּבָרִים for שְׁנֵי דְּבָרִים. One could hardly account for it in an oral transmission.

מהו בערכו? אמר ר' יהושע בן לוי בסדרי שהוא מסדר את ההלכות,⁶ אלופי שחיה רבי ומלמדי תורה, דכתיב אשר יחריו נמתיק סוד.

STUDIES IN THE BOOKS OF SAMUEL

BY M. H. SEGAL, Oxford.

III

SOME NOTES ON THE TEXT.¹

I. 1. 6. BUDDE capriciously deletes this verse, and also בן תבעיסנה in ver. 7, thereby robbing the story of much of its humaneness and picturesqueness. As a matter of fact the provocation by Peninah is intended by the narrator as an explanation of the excessive grief displayed by Hannah. The phraseology of this verse is referred to again in ver. 16 b.

7. I would suggest that יעשה is used here as an impersonal verb in the sense of היה 'to happen'. This would enable us to retain על־הָהּ of the MT which rightly makes both clauses of the verse refer to Hannah.

8. The critics accept the addition of LXX in the verse and read . . . חנה ותאמר לו הנני אדני ויאמר לה למה תבכי. 'The clause is . . . according to 3, 4, 5, 6, 8, 16 characteristic of the narrative' (Budde in his Notes to his Polychrome text in Haupt's *SBOT.*, p. 52). But the response הנני is generally used, as in the examples cited from ch. 3, only in answer to a call from some distance, and is altogether unsuitable here, where Elkanah and Hannah sat at the same table and probably side by side. The addition in LXX is merely an expansion by the translator similar to the expansion in vv. 5, 6.

ירע is certainly correct. Cf. the opposite טוב לב, 25. 36;

¹ Cf. vol. IX, pp. 43 ff.

II 13. 28, &c. The reading of LXX **יכך** (*τύπτει σέ*), which H. P. Smith (p. 8) prefers, can only mean: 'why art thou remorseful?' (cf. 24. 6, and Driver's note here), viz. for her sins, on account of which God had presumably denied her children. But whereas Elkanah could see by her sad looks that she was grieved at heart, how could he have divined that her grief was due to remorse?

16. Targum, Rashi, and *Ḳimḥi* refer **בַּח בלעל** to Peninah, and interpret **אל תתן** 'Give me not up for a reproach' (**לא תכלים**). But the narrator would no doubt have expressed the idea rather differently, or would have at least added the necessary complement **להרפה** (cf. Joel 2. 17; and see Driver's note).

18. Budde and others accept the conflate text of LXX: **והלך האשה לדרכה ותבא הלשבתה ותאכל**. But if Hannah went only as far as the **לשבה**, which must have been attached to the sanctuary, the narrator would not have described it as **והלך לדרכה** 'she went away'.

For **היו** LXX has *συνέπεσεν*, which is probably a paraphrase reminiscent of Gen. 4. 5, 6. The phrase in MT, though without parallel elsewhere, may nevertheless be as genuine a Hebrew idiom as the very rare expression in Gen. 4. 6. Klostermann and Budde read **הפילה**, citing Jer. 3. 12. But there the phrase means 'to display vindictive anger against somebody', a sense quite unsuitable here.

22. The traditional pointing **ונראה** as a *Niph'al* here and elsewhere, wherever this ritual expression occurs, has been vindicated by Schorr (*Monatschrift für Geschichte u. Wissenschaft d. Judentums*, 1909, p. 438 f.). The pointing of this verb as a *kal* is here entirely excluded by the fact that the construction demands the perfect consecutive tense, like the preceding and following verbs.

2. 1-10. THE SONG OF HANNAH.

1. For עלִין Targum has תִּקִּיָּה, and LXX ἐστερεώθη, and Peshitta ܠܚܡܝܢ. This points to an original reading אֲמִין, which seems preferable to the MT עלִין. For אֲמִין לִבִּי forms a better parallel to רִמָּה קִרְנִי and רָחַב פִּי than עלִין לִבִּי. Similarly in the conclusion of the poem we have the idea of strength made parallel to the exaltation of the horn: וְיִרְם קֶרֶן || וְיִתֵּן עֹז. Further, עלִין לִבִּי does not form a logical antecedent to בִּי שִׂמְחָתִי, since the ideas of the two clauses are practically identical. Cf. also Aptowitzer, *Das Schriftwort in der rabbinischen Literatur*, II, 4. For the second בִּיהוּה we should read בְּאֱלֹהֵי, as in many MSS. LXX and Vulg. Cf. Aptowitzer, I, 37.

2. I suspect that כִּי אֵין בְּלִתֶּךָ is a gloss. The line is one word shorter than the other lines of the poem. Further, the statement is inconsistent with the rest of the verse. For if there is no existence besides God, it is impossible to institute a comparison between Him and any other being. Again, with the exception of בִּישׁוּעָתֶךָ in ver. 1, God is throughout the poem spoken of in the third person. The clause must have been originally an ejaculation of some pious reader, written in the margin, and directed against the false inference which might be drawn from the poet's words that there may be in existence a holy being or a 'rock', though not of the same exalted holiness or strength as God Himself.

3. The second גְּבִהָה should be deleted as a ditto-graphy, which renders the line too long.

5. Since J. Reifman עַר has been rightly joined to the preceding verb, thus giving the line the same number of words as most other lines of the poem. This עַר is usually emended into עֲבַר. I think רָעַב would be more suitable.

10. I accept Budde's excellent emendation of עלו בשמים into עליון ביש ירעם. The last two lines of the poem משיחו . . . ויתן are a later liturgical addition, suggested by the first two lines (ver. 1aβγ.² So already Cheyne, *Origin of the Psalter*, p. 57. The poem, though almost wholly of a didactic nature, may have been employed in the liturgy at an early period, when a prayer was added to it for the prosperity of the king.

We are now in a position to determine the form and construction of our poem. The poem consists of four strophes. Strophe I has two verses, the first a tetrastich of which the first three lines are synonymous, and the fourth synthetic (ver. 1), and the second a distich of synonymous lines (ver. 2). Strophe II has three verses. The first verse is a tetrastich in which the first line is synonymous to the second line, the third line synonymous to the fourth line, the second couplet being synthetic to the first couplet (ver. 3). The second verse is a tetrastich in which the first line is antithetical to the second line, the third line antithetical to the fourth line, the first couplet being synonymous to the second couplet (vv. 4-5a). The third verse is a distich of antithetical lines. Strophe III has also three verses. The first verse is a tetrastich in which the first line is synonymous to the second, and the third synonymous to the fourth line, the first couplet being synonymous to the second couplet (vv. 6-7). The second verse is likewise a tetrastich of synonymous lines, but the second couplet is synthetic to the first couplet (ver. 8a). The last verse is, like the last verse in the two previous strophes, a distich, the lines of which are, however, synthetic (ver. 8b). Strophe IV consists, like strophe I, of but two

² Cf. this Review, vol. VI, p. 557 (§ 34).

verses, with this difference, that both verses are tristichs. In the first verse the first line is antithetical to the second line, and both are synthetic to the third line (ver. 9). In the second verse the first line is synonymous to the second line, and the third line is recapitulatory (ver. 10 a). The lines in the poem are throughout trimetric with the exception of the last line in each of the two verses in strophe IV, which has four stresses.

We will now set out the whole text of the poem arranged in accordance with this description :

III.	I.
<p>1. יהוה כמית ומחיה מוריד שאול ועל יהוה מוריש ומעשיר מישפיל אף מרומם.</p>	<p>1. אָמִין לְבִי בִיהוּה רמָה קרְנִי בֵאלֹהִי רַחֵם פִּי עַל־אֹיְבֵי כִי שִׁמַּחְתִּי בִישׁוּעַתְךָ.</p>
<p>2. מִקִּים מַעֲפֵר דָּל מֵאִשְׁפַּת יָרִים אֲבִיו לְהוֹשִׁיב עִם נְדִיבִים וְכַסָּא כְבוֹד יִתְחַלֵּם.</p>	<p>: קְדוֹשׁ בִּיהוּה [כִּי אֵין בְּלִתֵּךְ] וְאֵין צוֹר כֵּאלֹהֵינוּ.</p>
<p>3. בִּי־לִיהוּה מוֹעֲזִי אֲרִין וַיִּשֶׁת עֲלֵיהֶם תְּבַל.</p>	II.
IV.	<p>1. אֶל־תִּרְבּוּ תִרְבְּרוּ גִבְהָה (גִּבְהָה) יֵצֵא עֵתֶק מִפִּיכֶם כִּי־אֵל דְּעוֹת יְהוּה וְלוֹ נִתְכַּנּוּ עֲלָלוֹת. 2. קִטַּת גִּבְרִים חֲתִים וְנִכְשָׁלִים אֲזָרוּ חֵיל יִשְׁבָּעִים בְּלֶחֶם נִשְׁכְּרוּ וְרַעֲבִים חֲדָלוּ רָעַב (?). 3. עֲקֵרָה יִלְדָה שְׁבַעָה וְרַבַּת בָּנִים אִמְלָלָה.</p>
<p>1. רִגְלֵי חֲסִידְךָ יִשְׁמַר וְרִשְׁעִים בַּחֲשֶׁךְ יִדְמוּ כִּי־אֵל בִּכְה יִגְבֵּר אִישׁ. 2. יְהוּה יַחֲתוּ מְרִיָּב עֲלִיוֹן בְּשָׁמַיִם יִדְעֵם יְהוּה יִדִּין אֶפְסֵי אֲרִין. [וַיִּתֵּן עֹז לְמַלְכוֹ וַיִּרֶם קֶרֶן מִשִּׁיחוֹ].</p>	P

2. 29. LXX offers no justification for the curious reading of some critics: למה הבטת . . . צויתי מעוין. The phrase הביט מעוין has no parallel elsewhere, and is altogether un-Hebraic. The original Hebrew of the LXX was the same as in MT, only in some disorder. תבעטו the translator read as תביט, and צויתי מעוין (אשר) as the familiar עזר עין.

36. For ספחני LXX has παράρριψον, evidently connecting it with ספיה (Lev. 25. 5), 'seed poured out involuntarily'.

4. 2. For ותטש many moderns read after LXX (κ. ἐκλινεν) ותט. But the expression is not found elsewhere, and it conveys no intelligible idea. The MT is no doubt correct. The verb may, perhaps, be taken in an intransitive sense as suggested by R. Jonah Ibn Janah in his *Book of Roots* (Hebrew edition by W. Bacher, p. 303): 'the battle spread itself out'. It is better to take it in a transitive sense with an implicit object, viz. the warriors, as correctly paraphrased by Targum, וארטישו עבדי קרבה. Cf. the passive and reflexive applied to warriors in 30. 16, and II 5. 18, 22; Judges 15. 9 with the Targum *ad loc.*

7. The original reading seems to have been בָּא (= באו) אֱלֹהִים. The word אֱלֹהִים dropped out from MT through haplography (אֱלֹהִים = אֱלֹהִים). The fear of the Philistines was not due to the mere fact that the Deity had come to the scene of battle, but rather to the fact that the Deity had come to the Israelites, and not to them. The conflate reading which some moderns derive from LXX: אֱלֹהִים אֱלֹהֵיהֶם באו אֱלֹהִים אל המ' is certainly wrong. The question of the Philistines was not 'What is the Ark?' that the answer should be 'These are their gods who have come unto them.' The question was, 'What is the cause of the great shout?' (ver. 6 a), and to this they have already

received an answer in ver. 6 b. The reading אֱלֹהִים as in MT is supported by ver. 8. This does not necessarily mean in the mouth of the Philistines the absolute 'God', but merely *a god*. Further, we have to remember that we are really dealing with the words of a Hebrew writer, though they are ascribed to the Philistines. (ὁ θεός) αὐτῶν in LXX, L is probably a scribal addition, while אֱלֹהִים (οἱ θεοὶ or οὗτος) is probably merely a dittography of אֱלֹהִים.

8. במדבר is difficult. Perhaps the narrator put it deliberately into the mouth of the Philistines to show their ignorance. The emendation וּבְדָבָר cannot be right, since כָּל מִנָּה includes also דָּבָר. It is to be noted that R. Isaiah and Ralbag would read וּבְמַדְבָּר, as in LXX and Pesh.

13. The correct reading is with all moderns לִירַחֵשׁ as in LXX; cf. also Targum here with Targum in II 18. 4. See Driver's note *ad loc.* H. P. Smith (*ibid.* 35) asserts that the gate meant is the gate of the Sanctuary (cf. I. 9): for, if it was the gate of the city, then Eli would have received the tidings before the people within the city. But this shows a total misunderstanding of our passage. The repetition of the verb in this verse (וַיֵּבֶא . . . בֹּא) indicates that at his entry into the city the messenger saw Eli sitting and anxiously watching by the roadside for news (וַיֵּבֶא וְהָנָה . . .). But the messenger evidently had not the heart to break the sad news to the old priest, and so he passed him by and went into the city (וְהָאִישׁ בֹּא . . .). Eli, however, had not seen the man owing to his blindness (ver. 15). But when he had inquired for the cause of the outcry in the city, then the messenger hastened back to bring him the tidings. It will thus be seen that the parenthetical ver. 15 is necessary to the under-

standing of the narrative, and is therefore an original part of the text.

16. Wellhausen (*Composition*³, 371) thinks that ver. 16 a contains a doublet. The truth is that the repetition is an original part of the narrative, and is intended to indicate the great excitement of the speaker, who had to repeat his words in order to make his meaning clear. This shows the consummate art of our narrator. We may note further the wonderful vividness of the whole passage, the nervous and rapid movement of the sentences, the effective use of the circumstantial clause, the variety and change of the tenses, and, finally, the artistic gradation of the events, leading up to a climax at the end of the passage.

18. ותכרע. This verb seems to be intended to convey the idea that the birth throes came on suddenly without preparation or the aid of a midwife, even like the childbirth of wild animals; cf. Job 39. 3.

21. The subject of ותקרא is the mother, as of ותאמר in the next verse. Had the subject been, as the moderns hold, the women around her, the writer would no doubt have said ותקראנה as in Ruth 4. 17 b. To argue from ver. 20 b, as H. P. Smith (p. 36) does, that the mother had already become unconscious, is to misapprehend the meaning of the narrator. What he means to convey is that the mother was so overwhelmed by the sense of Israel's calamity that even so joyful an event as the birth of a son could not distract her mind from the contemplation of the national catastrophe.

6. 2. Rashi correctly interprets באיזה ענין—במה 'in what manner?'; so Vulg.: *quomodo?* cf. Judges 16. 3. If the Philistines had known that they had to send back the Ark accompanied with a gift, and only asked what the gift

should be (במה = 'wherewith', as the moderns explain it after Pesh. ܕܡܗ), there would have been no need on the part of the priest to say אל תשלחו אתו ריקם (ver. 3).

19. The absence of the *copula* before חמשים proves that חמשים איש is a variant reading of שבעים איש. After this variant had crept into the text, a scribe inserted אלף to give the expression some sense, but luckily failed to supply also the *copula* to חמשים. The Versions, however, express the *copula*. So also in some MSS. and old citations. Cf. Aptowitzer, I, 42.

8. 2. The ancients already noted the difficulty that Samuel should have placed his sons at the extreme Southern frontier town of Beersheba. See *Babli Shabbat*, 56 a, and *Kimḥi* here; cf. also Josephus, *Antiquities*, VI, 3. 2. But the matter can be explained quite easily. Samuel did not resign his office to his sons. Had he done so, he would no doubt have placed them at Ramah or some other sanctuary in the centre of the land. He appointed his sons only to relieve him of work in the outlying districts, to which he could not attend personally owing to his old age. It may be noted in passing that Beersheba was a famous sanctuary, cf. Gen. 46. 1; Amos 8. 14.

8. The moderns, following LXX, insert לי after עשו and explain that the comparison is between this לי and לך at the end of the verse: 'As they have been accustomed to deal with Me, so are they dealing also with thee.' But this is a contradiction of the statement in the last verse that the people's demand for a king is not a rejection of Samuel. It is better to retain the reading of MT and to take with *Kimḥi* לך in the sense of עמך, and to interpret the comparison as being between the people's conduct in the past and in the present: as they have been accustomed

to act ever since the Exodus, so they are acting now unto thee, viz. in thy time.

9. 18. Targum (וארע) seems to have read ויפנט for וינט ; cf. 25. 20. Cf. the remark of R. Tanhūm (ed. Haarbrücker, Leipzig, 1844) on 25. 14.

20. שלשה הימים. The original reading was probably שלשה ימים. The ה in הימים is a dittography of the ה (an error for ה) at the end of the last word, or perhaps a correction of this ה.

24. For הנשאר read, with H. P. Smith and Nowack, שָׁאָר, הַנֶּשֶׁאָר being dittographed from the last word הַנֶּה (= הַנֶּשֶׁאָר). Or, perhaps, we should read הַבָּשָׂר, the נ being a corruption of ב and א inserted to make sense. שִׁים is a passive participle as in Num. 24. 21. For לאמר העם LXX has παρὰ τοὺς ἄλλους = לאהרים. Hence I propose to read ואחר for לאמר. קראתי is a relative clause without אשר (cf. Gesenius-Kautzsch, *Heb. Gram.*, § 155 f seq.). 'Behold the *flesh is set* before thee, eat thou (first), for unto (this) appointed time hath it been reserved for thee, and *afterward* the people (*whom*) I have invited.' In these words Samuel invites Saul, whom he has placed at the head of the table (ver. 22), to preside at the meal instead of himself; and he asks him to begin the meal, probably by pronouncing the formal benediction; cf. ver. 13: כִּי הוּא יִבְרַךְ הַחֵבֶה אַחֲרַי בֵּן יֹאכֵלֵי הַקְּרָאִים. See *Babli Berakot*, 48 b, with Rashi.

10. 12. מַשֵּׁם is difficult. LXX reads מֵהֶם. It is perhaps better to read מֵהָעָם, mentioned in last verse; cf. 14. 28. For אֲבִיהֶם Targum has רִבְהוֹן, viz. in a spiritual sense; cf. 2 Kings 2. 12, &c.

25. מִשְׁפַּט הַמַּלְכָּה is the rights and duties of kingship in relation to the people, which Samuel settled and sealed before God, thus giving them the sanctity of a solemn

covenant. Cf. the covenant made by David on his anointment, II 5. 3. The critics assert that this משפט הגלובה is identical with משפט המלך in 8. 9, 11. But it is incredible that Samuel would solemnly invest the king with prerogatives of such a tyrannical nature as those catalogued in 8. 11–17. The enumeration of those royal imposts was only intended to frighten away the people from the institution of the monarchy; cf. R. Judah in *Babli Sanhedrin*, 20 b: לא נאמרה פרשה זו אלא לאיים עליהם בלבד.

13. 3. MT is correct. העברים are the Israelites who had permanently attached themselves as vassals to the Philistine; see 14. 21. This class is also referred to below in ver. 7, as opposed to איש ישראל of ver. 6. Cf. also Sayce, *Early History of the Hebrews*, p. 6.

13. The proposed pointing of לא as לֹא = לִי (cf. Driver's note) is improbable, as proved by the repetition of the phrase in ver. 14 b. Further, it is not likely that Samuel would fail to state categorically at the beginning of his speech that Saul had broken God's command.

21. הפצירה means 'sharpening' or 'filing', parallel to ללטוש in the last verse. It is a verbal noun of פצר in its primary and physical sense of 'to press' (Gen. 19. 9), and hence 'to sharpen' or 'to file'. פים is an old Hebrew weight, and like שקל probably also a Hebrew coin. For ושלש קלשין read, with S. Raffaeli, ושלש השקל. The meaning of the verse is that the Philistines exacted from the Israelites the heavy payment of a פים for the sharpening or filing of ploughshares and coulters, and a third of a shekel for the sharpening of axes and for setting the goad. Cf. further the writer's paper in the *Quarterly Statement of the Palestine Exploration Fund*, 1915, p. 40 f., with the references given there; and E. J. Pilcher, *ibid.*, 1916, pp. 77 ff.

14. 4. סנה may be connected with the name of the tree

כנה. Targum has מדרוכיתא 'a treading', possibly connecting it with מסאני 'boots'.

5. מצוק is absent from LXX, hence the moderns omit it as a dittography of מצפון. This finds some support in the rendering of the Targum : מסתכיא מצפונא = מצפה מצפון (cf. also Aptowitzer, *op. cit.* 21). On the other hand, the omission in LXX may be due to haplography, and the rendering of the Targum may be based on a corrupt text. That the word is not repeated in clause *b* is no proof of its spurious character, for neither is שן repeated. As for its meaning, מצוק may perhaps be connected, as H. P. Smith (p. 106) has noted, with the Mishnic צוק (*Yoma*, 6. 5; *B. meṣi'a*, 7. 10).

14. For מענה cf. *Mishnah Ohalot*, 17. 1.

16. It would be better to omit the article in ההמון, as suggested by Smith. The reading of LXX המהנה, which some moderns adopt, is incorrect, since, as the last verse shows, the panic was not confined to the camp. It may be noted that המון is used in ver. 19 in a slightly different sense. Here it means 'the crowd', but in ver. 19 it means the 'tumult' of the crowd.

25-26 a. The text is here certainly in disorder, but the emendation of the critics: הלך דבריו or הלכו דבריו for הלך דבש is much too ingenious to be correct. Further, it is exceedingly doubtful whether a Hebrew writer would have used such an expression. I propose to omit, with the critics, ver. 25 a as a doublet of ver. 26 a (note also הארין in ver. 29 a), to insert יער—'honeycomb'—before דבש in ver. 25 b, and to point הלך in ver. 26 as a participle: הלֵךְ 'flowing', instead of הֵלֵךְ which is only found in the sense of 'guest' or 'wayfarer': ויהי יער דבש על פני השדה (ver. 25 b). ויבא העם אל היער והנה הלֵךְ דבש (ver. 26).

47. For ירשע we should perhaps read יירש or ייריש.

48. שסחו is a synonym to Amalek. It is the Egyptian *Shassu*, the marauding *Bedawi* of the wilderness; cf. Sayce, *op. cit.*, pp. 171, 222.

15. 7. מחוילה. There is no need to change the text. The frontiers do not describe the extent of Saul's campaign. They only serve to define the defeated foe as one who habitually roamed about the vast area lying between Havilah and Shur.

23. For the active form הפצר, we should perhaps point the word as a passive, either *niph'al* הפצר or *hoph'al* הפצר, which would mean 'to allow oneself to be urged', to be persuaded, and hence 'to hesitate in obeying, to disobey', parallel to מרי.

32. מעדנות. We should perhaps read בַּמַּעַדְנוֹת 'in chains'; cf. Kimḥi, Ralbag, and R. Isaiah. The omission of the בַּ may have been due to haplography of the graphically similar בָּ. The rendering of LXX *τρεμων*, according to which many moderns point מַעַדְנִית, is not in accord with the light-hearted temper of Agag as displayed by his contemptuous remark in clause *b*.

16. 5. Targum renders בונה here and in ver. 3 by לשירותא, whereas לבנה at the end of this verse it renders לנכסת קורשא. This seems to imply that the elders were invited only to the sacrificial meal, but not to the sacrifice itself, which was reserved for Jesse and his sons. This seems very plausible. The divine revelation came to the prophet at the performance of the sacrifice, and in his fear of Saul he did not wish strangers to be present when he made the choice of the new king.

11. נסב should be pointed as a *hiph'il* נִסֵּב in ac-

cordance with the Mishnic idiom; cf. Mishnah Berakot 6. 7, &c. See also Driver's note.

12. The emendation of עלם for עם is very improbable. For עלם should have preceded also the first adjective—אדמני. Further, it is not likely that the same scribal error would have been repeated in 17. 42. It is more probable that יפה is used in a substantival sense. So LXX μετά κάλλους; cf. the use of נבה in ver. 7, and Driver's note here. Targum omits עם both here and in 17. 42.

17. 19. This verse is an addition by the narrator. If it were, as some moderns (cf. Smith, p. 157) assert, part of Jesse's speech to direct David to the whereabouts of his brothers, its wording would have been . . . והמה עם שאול וכל. Further, the words נלחמים עם פלשתים would be quite superfluous in the mouth of Jesse.

34. Driver's remark in his *Notes*², p. 144, that the reading זה for שיה has no manuscript authority, is incorrect. The reading זה was already before R. Joseph Kaspi (fl. 1280–1340). Cf. his remark: היותר נאות שהיה זה רמו לארי לבדו (אדני כסף, ed. J. Last, p. 20).

40. The genuineness of בכלי הרעים is proved conclusively by ver. 49, where the receptacle is referred to as הכלי, and not as ילקוט. Hence, I suspect that ובילקוט is a gloss.

48. המערכה means here not the 'battle array', but the space occupied by the fighting lines. Such is obviously its meaning also in ver. 20.

19. 24. Targum renders ברשן—ערם = כהמגל 'demented'; cf. Rashi. Probably the translator pointed ערם = ערום 'prudent', and regarded it as a euphemism for 'mad'.

20. 20. The emendation, based on LXX: ואני אשלש בהצום 'And I on the third day will shoot to its side with

arrows', can hardly be right. For apart from the questionable character of the Hebrew of this proposed sentence, the statement contained therein is not correct. Jonathan shot the arrows not on the third but on the fourth day, i. e. including, in accordance with ancient Hebrew usage, the day on which he was speaking. Cf. ver. 35: וַיְהִי בַבֹּקֶר, viz. the third day of the new moon. As the second day of the new moon is described in ver. 19 by וַשְׁלֵשֶׁת, it follows that the third day could not also be designated by אֶשְׁלֶשֶׁת. It is, therefore, better to retain the reading of MT, and to explain צָרָה, with Rashi and others, as לָעֵד. The accent should, of course, be shifted backwards to the penultima.

בַּחֲצִים must be taken literally. For, as a matter of fact, Jonathan shot more than one arrow, against LXX and the moderns, as is proved by the verb וַיִּלְקֹט in ver. 38, which would not have been used if only one arrow was to have been picked up. The form הַחֲצִי in vv. 36, 37 must therefore be regarded as a collective = הַחֲצִים, or as a contraction of הַחֲצִים.

21. קָחֵנו cannot be addressed to the lad, as the moderns interpret after LXX and Vulg.; for it would be quite superfluous after the command . . . מִצֵּא. Again, if קָחֵנו was addressed to the lad, it would have been repeated in the next verse. We must, therefore, conclude that קָחֵנו is addressed to David. The suffix refers, as Kimḥi rightly explains, to the lad. If the suffix referred to the arrows, as Rashi seems to imply, the form would have been קָחֵם. See last note. Further, there is no reason why David should be charged to pick up an arrow. The meaning is: You need have no fear to show yourself to anybody, but you may actually come back to me in the company of the lad.

21. 8. הרעים cannot be an error for הרצים, since, as is evident from 22. 17, 18, Doeg did not belong to that company. The use of אביר for ישר or ראש may be of foreign origin like Doeg himself. LXX (νέμω ἡ γὰρ ἡμίονος) seems to have read רעה הפרדים.

14. וישנו. The verb שנה may, perhaps, be used here with the Syriac nuance of 'to be demented'. See above on 19. 24.

22. 1. The moderns assert that מערה is a scribal error for מצודה. But it is incredible that this error should have been repeated in II 23. 13 and copied in 1 Chron. 11. 15 and in all the Ancient Versions. No doubt מערה is right. As II 23. 14 implies, מערה and מצודה are not synonymous. The latter seems to include the former. The מצודה seems to have been a fort on the hill, which served as a watch-tower and also, it would appear, as a residence for the captain. The מערה, on the other hand, seems to have served as a storehouse and as a place of retreat in time of danger. Thus in 24. 1 we find David dwelling in the מצודה. But when Saul comes to search for him, David and all his men are found in the recesses of the מערה (24. 4). On the departure of Saul and the disappearance of the danger, David and his men return to the מצודה (24. 23). Cf. R. Jonah Ibn Janah, *op. cit. s.v. מוצר*, p. 270 f.

23. 6. The text of this verse is difficult. The rendering of LXX is only an expanded paraphrase to overcome the difficulty of MT. The best solution is to omit קעילה as a doublet from the previous or following verse, and to read with Targum (אחית)—ירר for הוריר.

24. מעון cannot be right, for, as is shown by the next verse, David went to Ma'on only after Saul had arrived in Ziph. The reading with LXX, in ver. 25, of אשר for וישב

will not remove the difficulty. It is better to read here *מֵעוֹן* for *זִיף*. The latter has crept in here from ver. 25, where it is found twice.

26. *עָטְרִים* is correct. Cf. the Midrash cited in Yalkuṭ and in the Hebrew commentaries: *אָמַר ר' אַבְנָה הָקִיפוּ עָלָיו כְּעֶטְרָה*. So literally in Vulg.: *in modum coronae cingebant*. The emendation *עֲבָרִים* is unlikely. Saul would not have attempted the more difficult task of *crossing* the mountain in order to effect the capture of the elusive David and his band. Targum renders *כְּמוֹנִן*, which may perhaps point to a reading *אֲרָבִים*. Cf. Tanḥum's note *ad loc.*

24. 1. Driver in his *Notes* (second ed., p. 191) expresses surprise that David's going from Ziph (= Ma'on) to 'Engedi should be described as *וַיַּעַל*, seeing that 'Engedi is situated some 3,560 ft. below Ziph. But no doubt the verb *עָלָה* is used here idiomatically of going northwards, or, to be more precise, in a north-easterly direction from Ma'on to 'Engedi. Conversely *יָרַד* is used of going southwards towards the Negeb, irrespective of the level of the localities of departure and arrival. Cf. 23. 19, 20, 25; 25. 1; 26. 2, &c. Cf. Ibn Ezra, Genesis 38. 2: *הָבָא מִפָּאָת צִפּוֹן שֶׁל עוֹלָם לְדְרוֹמוֹ הוּא יוֹרֵד*; and Exod. 33. 1: *הַהוֹלֵךְ לִפְאֹת שְׂמָאל עוֹלָה הוּא*. In 27. 8 *עָלָה* is used in a military sense, as in Judges 12. 3, &c.

3. Targum seems to have read *הַסְלַעִים* (= *כִּיפִיָּא*) for *הַיַּעֲלִים*. See also Kimḥi *ad loc.*

4. The phrase *לְהַסֵּךְ אֶת רַגְלָיו* is well explained in *Babli Berakot*, 62 b: *אָמַר ר' אֲלֵעָזָר מִלְמַד שֶׁסֶּבַךְ עֲצָמוֹ כְּסוּכָה*. As to the exact meaning of the euphemism, there is general agreement among the ancients that it describes the action of *ventrem purgare*; so Vulg.; cf. *Mishna Yoma*, 3. 2 (cited by Kimḥi): *כָּל הַמִּסֵּךְ אֶת רַגְלָיו . . . וְבֵל הַמִּטִּיל מַיִם*. Kimḥi, however, explains it here as *לְהַשְׁתִּין מַיִם*, connecting *לְהַסֵּךְ* with the root *נָסַךְ*, and

רנליו with רנליהם, 1 Kings 18. 27 (Kerê). So Rashi in *Babli Yebamot*, 103a s.v. להכך, but here Rashi gives the first and, no doubt, more correct interpretation.

25. 14. Should we, perhaps, read ויגער for ויעט?

20. בסתר is rendered by Targum בסטר, no doubt through assonance.

22. מישתין is rendered by Targum euphemistically: ידע מרע = any one with knowledge, i.e. any human being; cf. Rashi and Kîmhi. Perhaps, however, Jacob Levy (*Chald. Wörterbuch*, s.v. ידע) is right in interpreting the Targumic phrase as any grown up male who knows sexual intercourse.

23-24. . . . ותפל . . . ותפל. Our text may be right: first she prostrated herself at a distance as a sign of respect, and then she threw herself at David's feet as a suppliant.

29. ויִקָּם is correct. It is incorrect to take it, as many moderns do, as a conditional, and to point ויִקָּם or to read וִקָּם, since his being persecuted was not hypothetical, but a hard fact. For אדם cf. 24. 10. With צרור החיים cf. ספר החיים in Exod. 32. 32, &c. . . . יקלענה may have been a popular imprecation based upon some primitive belief. For כף הקלע cf. Rashi here and in *Babli Shabbat*, 151a.

26. 20. מננר is best explained as equivalent to מרחוק; cf. Ps. 38. 12; Amos 9. 3: 'Far away from the Lord's presence', where it might not attract His attention to avenge me.

28. 12. The reading שואל instead of שמואל found in some MSS. of LXX and adopted by a number of moderns, is certainly wrong. The narrator would have said ותבר, instead of ותרא. Further, Saul's question in the next verse and the woman's answer prove that the woman's

detection of Saul's identity was caused by something extraordinary in the appearance of the ghost. Cf. the well-known passage in *Tanḥuma* on Lev. 21. 1 cited here by Rashi and Kimḥi. See also Aptowitzer, II, 61.

13. אֱלֹהִים . . . עֲלִים, cf. Driver's note. The ancient Rabbis already explained the plural by the supposition that there appeared more than one spirit; see *Babli Hagigah*, 4 b, and *Tanḥuma*, *loc. cit.* I conjecture that the woman used the plural because she was not a believer in monotheism. She may have belonged to the aboriginal heathens of Endor, who survived the Israelitish conquest; cf. Joshua 17. 11–12; Judges 1. 27.

30. 5. Budde eliminates this verse, but without cogent reason. The wives of David were persons of too great importance to be lumped together with the nameless women of David's men. Hence they receive special mention both here and in the account of the rescue (ver. 18). Further the verse is intended to explain the cause of the excessive grief which David displayed equally with his men.

9 b–10. The text is in disorder. והנותרים עמדו is out of place in ver. 9; and the order in ver. 10 should have been first clause *b* and then clause *a*: ויעמדו מאתים . . . הבשור, וירדה דוד . . . מאות איש. Budde adopts this order, and deletes והנותרים עמדו as a gloss, but he does not explain the origin of this gloss. It is possible, however, that the original text ran like this: וירדה . . . מאות איש והנותרים עמדו אשר פגרו וכו'. By some accident והנותרים עמדו got transposed to the end of the previous verse, and in order to make sense the scribe inserted ויעמדו מאתים איש, as we have it in our text. Or, again, it is possible that the scribe had before him two readings:

נחל הבשור: (ver. 10) וירדך . . . מאות איש והנותרים עמדו (i)
נחל הבשור: (ver. 10) וירדך וכו' (ii); אשר פגרו וכו'

The scribe accepted the second, though inferior, reading because it specifies clearly the number of the laggards, and relegated והנותרים עמדו to the margin, whence it eventually got into the text at the end of ver. 9.

17. For למחרתם we should read למחרת, i.e. on the morrow of the day on which he had set out on his expedition. So Targum: ביומא דבתרוהי; and apparently LXX and Vulgate. Cf. also Aptowitzer, *op. cit.*, 65. The ם is a scribal error for the *waaw* at the end of this word combined with a dittographed *waaw* from the beginning of the next word (וּ = ם). Cf. 15. 3: וההרמתם ואת = וההרמתו ואת.

31. 11. Instead of ישבי the chronicler (1 Chron. 10. 11) has יבש. יבש must have fallen out in his text of Samuel through haplography of the similar יבש. To make sense with the plural verb וישמעו he inserted כל.

II 1. 1. The construction of this verse is very awkward. The writer evidently wished to combine in logical sequence the three events of the death of Saul, the return of David from the expedition against the Amalekites and the arrival of the bearer of tidings from Gilboa, but he was unequal to the task. He, therefore, felt obliged to have recourse to the use of a circumstantial clause: ודור שב וכו'. That this clause is not a parenthesis is shown by the fact that it forms the antecedent to the opening words of ver. 2. H. P. Smith (p. 256) holds that the original form of the verse was: ויהי אחרי שב דור מהכות . . . וישב דור וכו', and that the reference to the death of Saul is an editorial adaptation to the present context. But it is unlikely that the original narrator would have chosen to begin this section with a reference to the comparatively unimportant episode of

David's fight with the Amalekites, instead of connecting it with the big event of Saul's death, an event which forms the pivot of the whole succeeding narrative.

6. Wellhausen's explanation of בעלי הפרשים is too ingenious to be true. No doubt Kimḥi is right in explaining the phrase as ראשי הפרשים והממונים עליהם. So LXX *ἱππάρχαι*. For a parallel cf. בעלי רכב in the Zenjirli Inscription. See G. A. Cooke, *North Semitic Inscriptions*, No. 62, 10. בעל with the sense of ראש or שר is also found in the Punic phrase בעל הרש עכברם, *ibid.*, No. 45, 9.

9. The ungrammatical expression כל עור . . . בי is most probably a colloquialism.

12. The apparent tautology in על עם ה' ועל בית ישראל was already noted by R. Isaiah, who remarks: הוי"ו יתרה, meaning that על בית ישראל is expegetical. But there is really no difficulty at all, for על עם ה' refers to the fighting men who fell in the battle fighting in the cause of the Lord (cf. I 25, 28, &c.), while בית ישראל refers to the non-combatants, particularly women and children, who were slain by the Philistines in their invasion of the Israelitish cities (I 31. 7). עם has the meaning of fighting men also in ver. 4 and frequently elsewhere. For the use of בית ישראל in this sense cf. the comment of *Mekilta* on Exod. 19. 3 (cited by Rashi, *ibid.*): בית יעקב אלו הנשים.

2. 15. The *waru* in וְלֹאִישׁ is a dittography of the preceding final *nun*. So also in וְבֹאנִשִּׁי in ver. 31 below.

16. The critics, with their usual knack of blundering over the obvious, are much puzzled over הצרים. Some read after LXX הצדים or הצדים. But these twenty-four men did neither *lie in wait* nor *hunt* one another. Others propose הצרים; but there were no *besiegers* here. Others, again, emend הצדים, which they interpret as a play on the

preceding בצר, a most insipid *derash*. Our text is most certainly correct. The field was so named originally from the presence in it, or beside it, of certain sharp flints, but after the event described in the narrative, the name הצרים was connected with the sharp swords of the unfortunate young men. Cf. Rashi and R. Isaiah.

23. The Versions support the reading of our text : באחרי החנית. The difficulty of the phrase may be removed by pointing באחרי, as in Targum באחורי.

25. גבעה אחת is correct. The emendation גבעה אמה is most unlikely. For if the narrator meant to say that they stood on the hill mentioned in the last verse, he would have said simply הגבעה. Cf. also Driver's note.

3. 5. אשת דוד may be a later amplification of an original אשתו, as in 1 Chron. 3. 3. The names of other two wives in the list which are prefixed with ל are followed by a descriptive adjective. In the case of לעגלה the writer was unable to supply any further description, and he simply wrote אשתו, which a later scribe expressed more explicitly as in our text.

7. I conjecture that רצפה was of non-Israelitish origin. Her name is connected with the Semitic divinity רישף, also written רצף; cf. למלקרתרצף, Cooke, *op. cit.*, pp. 56-7; and No. 150, 5. Further, her father's name איה is only found among the Horites, Gen. 36. 24.

5. 6. For באעדיותך Targum has הסירך. Accordingly we may perhaps emend בַּהֲסִירְךָ. The omission of the ב may have been due to haplography of the graphically similar final ם of the preceding word.

6. 3. The pointing of ואחיו as ואחוי is improbable. The narrator would surely have been able to add the proper name of Uzza's brother. The name אחוי may be a caritative

form of אחיהו. Cf. ישוי = ישיו (I 14. 49) = ישיהו = ישבעל = אישבעל.

7. 11. The moderns, following LXX, omit the copula form הו"ו יתר. So already R. Isaiah, who observes . . . שלא יוסיפו בני עולה לענותו כמו שעשו מן היום אשר צויתי שופטים. But this is unlikely, since Israel suffered oppression also before the period of the Judges, viz. in Egypt. And from וישמתי מקום, which refers to the conquest of Canaan, it is obvious that בראשונה must refer to the period before Israel had acquired a territory of its own. Hence it is necessary to retain the copula with ולמן; cf. also Rashi's note.

והניד is a perfect consecutive like the preceding verbs וועשיתי . . . ושמתי . . . ונטעתי . . . והניחתי: 'The Lord will show thee by the birth of Solomon that He will make thee a house'.³ The reading of 1 Chron. 17. 10: וואניד, or the modern emendation ומוניד involves too abrupt a change of tense.

19. תורת is perhaps an error for תורת: this, an expression of gratitude by means of words, is all the *thanks* which mortal man can offer to God (ver. 20), but even my words of gratitude are superfluous, since Thou, O Lord God, knowest Thy servant and the thoughts of his heart.

21. The reading עברך for דברך, as in LXX and 1 Chron. 17. 19, cannot be right. Such a claim by David for himself would be a flagrant contradiction of the statement in ver. 18 that he is not worthy of God's favours.

23. The words גוים ואלהיו seem to have been lacking in the original text of Targum, and to have been inserted in our text of the Targum from the Hebrew original. Cf. Kimhi's comment. אלהיו is lacking also in 1 Chron. 17. 21.

³ Cf. the writer's discussion of this passage in this REVIEW, vol. IX, p. 47 f. (§ 92).

8. 1. האָמֶה should perhaps be pointed האַמֶה 'the nation' (Gen. 25. 16, &c.). Cf., however, Sayce, *op. cit.*, p. 414, who offers an excellent explanation of the baffling phrase.

3. Targum (לאַשנאָה תחומיה) may have read להסינ for להשיב and interpreted ידו as a boundary sign.

8. The name ברתי may perhaps be connected with Aramaic ברות = Hebrew ברויט. LXX (καὶ ἐκ τῶν ἐκλεκτῶν) connects it with the root ברה = ברר (cf. I 17. 8: ברו).

10. 12. The emendation ארן for ערי is unhappy. It would have been nothing short of blasphemy for Joab to say that they would by their strength save the Ark of God. Had the Ark been with them in this battle, Joab would have looked to the Ark to save the army rather than that the army should save the Ark.

11. 12. The moderns, following Lucian and the Peshitta, connect וממחרת with the next verse. Mr. S. A. Cook (*American Journal of Semitic Languages*, vol. XVI, p. 156) actually makes this emendation an argument against the integrity of the text. But this emendation seems to be quite wrong. For if David invited Uriah to eat and drink before him ממחרת, i.e. on the third day since his arrival from the camp, then Uriah's departure would have been delayed until the fourth day, or after three nights, whereas David distinctly says that he would send him back on the third day = ומחר אשלחך, viz. after the second night of Uriah's stay in Jerusalem. The fact seems to be that Uriah's carousal at David's order (ver. 13) took place in the evening of his second night in Jerusalem, and as even in his state of intoxication he failed to go home to spend the night with his wife, David, frightened that he might learn in the king's household of his wife's visit to the king, sent him back on his fatal

errand immediately on the morning following this second night (ver. 14 = בבקר, viz. ומהר of ver. 12).

12. 6. The change of לא into לו is bad. The fact that the rich man had pity on his own cannot be made a reason for punishing him. המל may have been suggested by ויהמל in ver. 4, but is not parallel to it.

31. Targum renders והעביר אותם במלכן = וגרר יתהון בשוקיא, taking מלכן in the sense in which it is found in Jer. 43. 9. Cf. Driver's note. The emendation of והעביר for והעביר was already suggested by R. Joseph Kaspi (*op. cit.*, p. 36): המעם שצוום לעשות לבנים.

13. 9-10. The critics have met here with various difficulties. The *hapax legomenon* המשרת has troubled them, and some of them resolved to regard it as an old corruption of מחבת. But the occurrence of משרת in the Targumim (Lev. 2. 5; 6. 14; 7. 9; Ezek. 4. 3; 1 Chron. 23. 29) and in Mishnic Hebrew (Mishnah Ḥallah 4. 1; Yerushalmi Pesahim 29b) ought surely to be sufficient to protect it against this 'critical' scepticism. The emendation ותקרא את המשרת for ותקרא את המשרת is neither clever nor happy. The amorous Amnon, who was so eager to see the damsel do all the work herself and in his presence, would surely not have allowed the interference of the משרת. Again, some critics see an irreconcilable discrepancy between ver. 9 and ver. 10, and therefore adopt the usual remedy of relegating the offending ver. 10 to the margin as an interpolation (cf. Smith, p. 330). They argue, if the food was already set before him (ver. 9a) why does he ask her to bring it into the chamber? And how could 'the sick man' move from one room into another? The answer is, taking the second question first, that Amnon had only pretended to be sick, and that having achieved his object of getting

Tamar into his power, he had no need to continue further his dissimulation. As to the first question, Amnon asked her to bring the food into the *inner* chamber, in order to be removed as far as possible from the hearing of his attendants, who were probably standing just outside (ver. 9). He must have expected some opposition on her part, and therefore hesitated to carry out his design on her in the large and accessible room which had just been emptied of his friends and attendants.

18. The critics object to מעילים and emend מעולם 'from eternity' (!), or מעוללים 'from babes' (!). They argue that the מעיל was distinct from the כתנת (Exod. 28. 4). Exactly so; therefore the narrator has to explain how it was that Tamar wore for her upper garment a כתנת, which was usually an under garment: 'For so the daughters of the king were used to dress with a כתנת פסים as מעילים, or upper garments.'

14. 14. It is best to emend ישיב for ישא: '... And we are like waters poured out to the ground, which cannot be regathered; for God will not restore the soul to the body, therefore one should devise plans, so as not to banish from oneself him that is banished.' Cf. חשב נפש הילך, 1 Kings 17. 21. The meaning is: The dead cannot be restored to life again, and no amount of revenge on Absalom will bring Amnon back; so why lose Absalom also by banishment? וחשב refers to David, as already explained by Rashi and Kimhi. The *athnah* should accordingly be moved forward to נפש, which should be pointed נִפְשׁ.

15. 8. The omission of בהברון at the end of the verse, supplied, however, by Lucian from ver. 7, may have given rise to the explanation recorded in *Babli Temurah*, 14 b, that Absalom's ostensible object in going to Hebron was

not to sacrifice there, but only to obtain lambs for sacrificing in Jerusalem.

12. It is generally assumed by moderns, and so already by Kimḥi on 17. 3 and Ralbag on 16. 23, that Ahitophel's enmity towards David was inspired by a desire to avenge the wrong David had done to Bath-sheba, whose father Eliam (11. 3) is supposed to be identical with Eliam son of Ahitophel, mentioned in 23. 34. But is it likely that an unprincipled and ambitious man like Ahitophel would have hated David for making his granddaughter the favourite wife in the royal harem? Moreover, by assisting Absalom in his enterprise, Ahitophel was actually endeavouring to rob Solomon, his alleged great-grandson, of the throne of Israel, the promise of which must by that time have already been made to him through Bath-sheba. Nay, it is very likely that it was this promise to Bath-sheba that drove Absalom to rebellion. It has always seemed strange that Absalom should have thought it necessary to take such violent measures for seizing forcibly what would have been in the natural course of events his rightful due within a few years. For it is evident from David's conduct in this narrative that the rebellion took place towards the end of David's reign, when he was already nearing his decline (cf. *Seder 'Olam*, ch. 14). Why, then, this fatal impatience on the part of the heir-apparent and his friends? The fact is that Absalom's conduct was actuated by the same motives as that of Adonijah a few years later, viz. to prevent the aged king from making good his promise to the son of his adulterous *parvenue* wife. But the crafty grandfather of that wife would surely not have taken the leading part in a conspiracy against her young son. We must therefore conclude that Eliam the father of Bath-sheba was not

Ahitophel's son. It is also probable that the narrator would not have stopped short in the pedigree of Bath-sheba at the mention of the comparatively obscure Eliam, had he been able to trace him further to such a famous personality as Ahitophel. Cf. also W. Jawitz, *חולדות ישראל* (1905), vol. II, p. 27, note. Wellhausen (*Composition, &c.*³, p. 258, note), with more than his usual display of cynical scepticism, remarks: 'Dass Davids Versprechen 1 K. 1, 13, 17 bisher nicht erwähnt ist, kann nicht befremden, da er selber und alle Welt nichts davon weiss. Vgl. 1, 14 ומלאתי את דברך.' But the critic has overlooked 1 Kings 1. 30, where David recalls his solemn oath to Bath-sheba. Nathan's promise to corroborate or supplement Bath-sheba's words only had reference to her statement about the doings of Adonijah, about which alone Nathan speaks in vv. 25-7. There is in Nathan's words no mention whatever of the king's oath to Bath-sheba, which no doubt was made in private.

19. I venture to express the opinion that the name אחי is a caritative form of אחיה, parallel to עמנואל. Similarly other personal names ending in י— may be caritatives of corresponding longer forms of theophorous names with the element יה, as חושיה = חושי, parallel to מהריה = מהרי (23. 28). But this latter is more likely to be connected with מהר 'gift'; cf. the Punic מהר בעל, Cooke, *op. cit.*, p. 108 f.); דודי (23. 9) = דודיה, akin to דודוהו = דודיהו (2 Chron. 20. 37; cf. Lucian, *ibid.*, Δουδίου), and ידדיה (23. 29) = יריבי (1 Chron. 11. 46) = יריביה, parallel to ירבעל and מריבעל; and, perhaps, also ישיה = ישי. So also names ending in י—, like שבִּי (17. 27). cf. שבִּי (Ezra 2. 42) = שביה, parallel to שובאל (1 Chron. 23. 16, &c.); further בְּנִי (23. 36) or בְּנִי (Neh. 10. 16) = בניה, parallel to בניו and יבנאל, and others.

17. 14. **וְכָל אִישׁ יִשְׂרָאֵל** is obviously to be distinguished from **כָּל זָקֵן יִשְׂרָאֵל** in ver. 4 above. The mass of the people were, like Absalom himself, captivated by Hushai's deceptive eloquence. The elders, however, with their wider experience and greater intelligence, preferred Ahitophel's wiser counsel. Hence Hushai's fear lest Absalom should after all be persuaded by the elders to adopt Ahitophel's plan, vv. 15–16.

16. Kimḥi confesses his inability to explain the rendering of **יִבְלַע** by Targum **לְמַלְכָּא**. Cf. also Levy, *Chald. Wörterbuch*, 202 b. It seems to the writer that Targum takes **בָּלַע** in its ordinary application of swallowing food, and interprets it figuratively: 'Lest Ahitophel's counsel be tasty and savoury to the king', referring **לְמֶלֶךְ** to Absalom, as does also Rashi.

19. **הַרְפוּת** is rendered by Targum **דְּקִילִין**; similarly Lucian and Theodotian *παλάθας*. Perhaps they read **הַפְרוּת** 'the fruit', spread out for drying in the sun.

18. 26. Most moderns point with LXX and Peshiṭta: **הַשָּׁעַר** for **הַשָּׁעֵר**. This is certainly wrong; for the narrator would have said **אֵל תֹּךְ הַשָּׁעֵר**. Nor is the emendation of Smith (p. 36c) **עַל הַשָּׁעֵר** more happy. For the narrator would certainly have expressed it by **הַצֶּפֶה אֲשֶׁר עַל הַשָּׁעֵר**. Further, why should this description of the watchman's whereabouts be given here at the fourth mention of his name, and not earlier in ver. 25? There is no doubt that the pointing of MT is correct. The watchman standing on the roof announced what he saw to the gatekeeper, who conveyed the news to the king. This latter operation is not mentioned explicitly by the narrator, either because its performance is taken for granted, or more likely because it was unnecessary, seeing that the king himself was

sitting within hearing of the watchman's voice (ver. 24 a). We must assume that the first announcement by the watchman (ver. 25) was also made through the gatekeeper. So we also find the four lepers announcing important news to the gatekeepers of Samaria, 2 Kings 7. 10, 11.

29. The text is, as already observed by Ehrlich, quite original. The incoherence of the reply of Aḥima'as is a deliberate artifice of the narrator to exhibit the messenger's great embarrassment.

19. 10. There is no reason to doubt the correctness of the form גִּדּוֹן. It is used here alone in a reciprocal sense, but in a passive sense it is frequent in Mishnic Hebrew. Cf. *Mishna B. Kamma* 2. 5; *Yadain* 4. 3, particularly with a preformative *hīreḵ*: *Sanhedrin* 5. 6, &c. See the writer's remarks in this REVIEW, First Series, XX, 701-702 ('Mishnaic Hebrew', pp. 55, 56).

23. ידעת is correct. 'To-day I feel again as King of Israel, and I must not mar the joy of the day by acts of vengeance.' Cf. the similar remark of Saul, I 11, 13. Many moderns, following Lucian, read ידעתם: Do you not know that to-day I am king... and not *you*? But this does not explain the emphasis laid on היום (בי); nor does it suit the exclamation: היום יומת וכו'! The narrator would have made him say simply . . . היום לֹא יומת.

32-41. This passage has given much trouble to modern expositors. The apparent discrepancies between vv. 32 b, 34 b, 37 a, and 40 have forced them to interpret עבר as 'to pass on' in vv. 32, 37 and as 'to cross over' elsewhere in the passage; further to delete הירדן in ver. 32, and את הירדן in ver. 37, or to take הירדן as הירדנה, and את הירדן as אל הירדן; and, finally, to read with Lucian עמד for עבר in ver. 40. This obviously does violence to the

text, and is altogether unsatisfactory. The fact, however, is that, as stated explicitly in ver. 32, Barzillai *did* cross over the Jordan, and his leave-taking of the king must therefore have taken place on the Western side of the river. The above-mentioned discrepancies are only apparent and not real. Ver. 32 tells in a general way that Barzillai accompanied the king across the Jordan to take leave of him, and the following verses describe the incident in detail. While still on the Eastern side of the river, and before the crossing had begun, the king invited Barzillai to cross the river not for the purpose of leave-taking, but in order to go up to Jerusalem, and stay permanently in the royal court (ver. 34). Barzillai declines to go up to Jerusalem (vv. 35, 36), and only consents just to cross over the river but not to go farther (ver. 37 a), but offers to send with the king his son Kimham (ver. 38), which offer the king accepts (ver. 39). When this conversation was over, the crossing of the river began, and first the people went across, and then the king with Barzillai in his company. The king then took leave of Barzillai, and the latter returned across the river to his home in Gilead (ver. 40). Having finished relating the story of the king's leave-taking of Barzillai, the narrator proceeds to relate another, more important, incident in connexion with this royal crossing of the Jordan. For this purpose he repeats the fact that the king had crossed over and gone to Gilgal, taking the opportunity to mention that in accordance with the king's promise to Barzillai (ver. 39), Kimham accompanied the king to Gilgal; but, he goes on to relate, the king had not waited until the whole of Israel should assemble to escort him across the river, and had gone across with Judah and only a portion of Israel (ver. 41). This disregard of David

for Israel gave rise to an inter-tribal quarrel, which culminated in the rebellion of Sheba'.

41. The Kethib ויעבירו is probably due to the recurrence of this form in the next verse. The reading of LXX (διαβαίνοντες) עברים, which the moderns adopt, is inadmissible. For since the king is already represented as being at Gilgal, the act of crossing with the king must be conceived as already lying in the past.

20. 3. The pointing after LXX אֶלְמָנוֹת חַיִּים cannot be right. 'Living widows' cannot by any stretch of imagination be identical with 'women treated as widows, whose husband is yet alive'. I conjecture that the right reading is אֶלְמָנוֹת חַיִּים 'widows for the whole term of their life'—lifelong widows, or, less likely, אֶלְמָנוֹת חַי 'widows of a living husband'. The corrupt ending in חַיִּים may be due to the influence of the ending in the preceding word אֶלְמָנוֹת. The whole phrase is perhaps an expression of a proverbial and colloquial character, in which grammatical niceties are often disregarded; cf. note on I. 9.

8. I propose to read וַיֹּאבֵד חֲגֹר מִכְּוֹס וְעַל הָרֶבֶץ מַעֲמֶדֶת. לְבָשׁוֹ is a gloss on מִכְּוֹס, and חֲגֹר is a dittography of חֲגֹר, since the important fact which the narrator wishes to convey is not that Joab had on him a girdle, but that he had a sword over his military cloak. The point in this description, as already noted by Rashi and Ralbag, is that the scabbard with the sword in it was not, as usual, hanging down at his side vertically, but was joined across his loins horizontally, so as to facilitate its falling out of the scabbard at the inclination of the body and thus to give Joab, who would quite naturally stoop to pick it up from the ground, a naked sword in his hand without arousing in the mind of Amasa the least suspicion of foul

play (ver. 10 a). For **והוא יצא** we must, of course, read with LXX **והיא יצאה**, viz. the sword from the scabbard, which Joab immediately picked up with his *left* hand (= **ביר יואב**, ver. 10), so as not to arouse Amasa's suspicions, using his right hand for taking hold of Amasa's beard (ver. 9 b).

12. I propose with Budde to delete **ועמד** . . . **כאשר ראה** as an expanded doublet of the preceding **וירא האיש כי עמד כל**. The original of this latter clause may, perhaps, have been as follows: **וירא האיש כי עמד כל העם הבא עליו**.

13. Targum renders **הנה** by **אפניה**, pointing **הנה=הנִה**; so Pesh. **ܐܦܢܝܐ**. LXX also takes the verb in an active sense—*ἐφθασεν*. This is also the view of Ḥayyuj and Ibn Janah (cited by Kimḥi), and of R. Isaiah.

26. For **היארי** Targum has **יאיראה דמן תקוע**, thus identifying this **עירא** with the one mentioned below, 23. 26. It is possible, as Rashi and Kimḥi remark, that the interpretation **דמן תקוע** connects **יארי** with **מאור**, and regards it as synonymous with **תקועי** because of the abundance of oil in Tekoa, to which reference is made in *Babli Menahot* 85 b. This, however, shows a confusion of the Southern Tekoa with the town of that name in the North.

23. 32. The moderns agree to delete **בני** as a dittography of the end of the preceding word; to join **יהונתן** to the next verse, supplying **בן** before **שמה**, and to insert **היניני** after **ישן**, in accordance with the reading of Lucian *Ἰεσσαὶ ὁ Τουνί* for **הנוני** of 1 Chron. 11. 34. **הנוני** is identified with the Naphtalite family mentioned in Gen. 46. 24; Num. 26. 48. This identification is, however, improbable, since all the other heroes are drawn from the South, whereas Naphtali was settled in the extreme North. Instead of **הנוני** in

Chronicles, I would read הַנִּמְנוֹנִי, from נִמְזו near Ajalon on the border of Philistia, 2 Chron. 28. 18. On the same ground I doubt whether, after all, מַצְבָּה in ver. 36 is correct, since Zobah was situated in the far North, and in addition was inhabited. it would seem, exclusively by Arameans.

MEGILLAT TAANIT AS A SOURCE FOR JEWISH CHRONOLOGY AND HISTORY IN THE HELLENISTIC AND ROMAN PERIODS

BY SOLOMON ZEITLIN, Dropsie College.

CHAPTER VII

MEGILLAT TAANIT: TEXT AND TRANSLATION.¹⁴⁴

אלין יומיא די לא¹⁴⁵ להתענאה בהון ומקצתהון די לא למספר בהון¹⁴⁶;
I. מן ריש ירחא דניסן¹⁴⁷ [ועד תמניא] ביה¹⁴⁸ אתוקם תמידא די לא
למספר¹⁴⁹ [בתון]: ומתמניא ביה¹⁵⁰ [ו] עד סוף מועדא¹⁵¹ אתותב חנאי¹⁵²
[דשבועיא] דילא למספר¹⁵³;

¹⁴⁴ In editing the text of the 'Megillah', I consulted Neubauer, *Medieval Jewish Chronicles*, II, Oxford, 1895; G. Dalman, *Aramäische Dialektproben*, Leipzig, 1896; Derenbourg, *Essai sur l'histoire et la géographie de la Palestine, &c.*, Paris, 1867, p. 442; Graetz, *Geschichte der Juden*, III, 2, p. 559; M. Schwab, *Actes du onzième Congrès international des Orientalistes*, Paris, 1897, 4^e section, p. 199, and also some notes by Schwab, giving Dr. A. Marx's views, in the *Revue des Études Juives*, 1900, pp. 266-8; Şedah la-Derek by Menahem ibn Zerah, 247b-248, and also both the Talmud-Babli (in the Munich MS., and also photographs of MSS. of the British Museum and the Bodleian Library) and Talmud Jerushalmi. The Megillah is mentioned in Halakot Gedolot, p. 615 (ed. Hildesheimer), in the Siddur of Rab Amram Gaon (ed. Hildesheimer, p. 193), in Mahzor Vitry, p. 229 (ed. Hurvitz), and also in Kol Bo in its regulations concerning fasts. The 'Megillah' was first printed with the Seder 'Olam Rabba and the Seder 'Olam Zuta and Seder ha-Kabbalah Mantua, 1513. It was again printed—this time in Basle, by Ambroise Troben—in 1580, also in Amsterdam in 1711, and in Hamburg in 1757, with notes by Jacob Israel Emden; Joh. Meyer, *Tractatus de temporibus et festis diebus Hebraeorum*, etc. Accedit תענית מוגלת, Volumen de ieiunio, Amstelaedami, 1724. Besides

II. ¹⁵⁴ בשבעה באייר חנוכה שור ירושלם די לא למספר : בארבעת עשר ביה ¹⁵⁵ [נכיסת] פסחא זעירא די לא ¹⁵⁶ למספר : בעשרין ותלתא ביה נפקו בני חקרא ¹⁵⁷ מירושלם : בעשרין ושבעה ביה אתנטילו כלילאי ¹⁵⁸ [מיהודה ו] מירושלם :

III. ¹⁵⁹ בארבעת עשר בסיון אחידת מנדל ¹⁶⁰ צור : בחמשת ¹⁶¹ עשר ביה ובשתת עשר ביה גלו אנשי בית שאן ואנשי בקעתה : ¹⁶² בעשרין וחמשה ביה ¹⁶³ אתנטילו דימוסנאי ¹⁶⁴ מיהודה ומירושלם :
IV ¹⁶⁵ בארבעת [עשר] בתמוז ערא כפר גזרתא ¹⁶⁶ [די לא למספר :

this we have Warsaw and London editions. Scholars who have done most work in connexion with our Megillah are Derenbourg, Graetz, Schwab, as mentioned above; J. Schmilg, *Ueber Entstehung und historischen Werth des Siegeskalenders Megillath Taanith*, Leipzig, 1874; P. Cassel, *Messianische Stellen*. An English translation of this Megillah is given by Edersheim, *The Life and Times of Jesus*, v. II, pp. 698-700. See Steinschneider's bibliography in *Geschichtsliteratur des Alten Testaments über Megillath Taanith*, Berlin, 1885. A full list of scholars whose opinions or views I cite I shall give wherever it is essential.

¹⁴⁵ Parma, ; לאתענא.

¹⁴⁶ According to the Jerushalmi (Taanit 66 a) : אילין יומיא די לא : למספר בהון מקצתהון די לא להתענייא בהון.

¹⁴⁷ Not found in Jerushalmi Megillah 70 c; in Jerushalmi Taanit 66 a.

¹⁴⁸ דיתקן, Jerushalmi Megillah 70 c; Jerushalmi Taanit 66 a, אתקם.

¹⁴⁹ Not found (in parallel) in Jerushalmi.

¹⁵⁰ Not found in Babli Taanit 17 b.

¹⁵¹ P. אתקון.

¹⁵² Not found in Parma MS.

¹⁵³ In M. MS. is דלא למספר משום דאיתותב חנא דשבויעי.

¹⁵⁴ In P. fifth of Iyyar; in Şedah la-Derek, On 17th of Iyyar.

¹⁵⁵ Not found in Babli Hulin 129 b.

¹⁵⁶ M. adds להתנעה.

¹⁵⁷ M. adds סיקרא; in Şedah la-Derek, הקראים.

¹⁵⁸ In M. not found; in Şedah la-Derek no mention of this day.

¹⁵⁹ P. בשבעה; M. בארביסר.

¹⁶⁰ P. צר; M. שר.

¹⁶¹ M. בשיתסר ביה.

¹⁶² Babli Sanhedrin 91 a: On the twenty-fourth of Nisan; Şedah la-Derek : 21st (of Sivan).

¹⁶³ P. נטלו.

¹⁶⁴ P. מן ירושלם.

¹⁶⁵ P. בארבעה; Şedah la-Derek has בתמוז.

¹⁶⁶ In P. not found.

V. בחמישה עשר באב זמן אעי כהניא די לא למספד: בעשרין וארבעה¹⁶⁷ ביה תבנא לדינא:

VI. בשבעה באלול¹⁷⁰ [יום] חנכת שור ירושלם די לא למספד: בשבעת עשר ביה¹⁷¹ (אתנטילו) [נפקו] רומאי¹⁷² [מיהודה ו] מירושלם: בעשרין ותרין ביה תבנא לקטלא רשיעיא:

VII. בתלתא בתשרי¹⁷³ אתנטילת¹⁷⁴ אדרכתא מן שטריא:

VIII. בעשרין ותלתא¹⁷⁵ במרחשון אסתתר סוריגה מן עזרתא: בעשרין וחמישה ביה אחידת¹⁷⁶ [שורת] שמרון: בעשרין ושבעה ביה תבת סלתא למיסק על מדבחא:

IX. בתלתא בכסלו¹⁷⁷ אתנטילו סימותא מן דרתא: בשבעה ביה¹⁷⁸ [יום טב]: בעשרין וחד ביה יום הר גריזים¹⁸⁰ [די לא למספד]: בעשרין וחמישה ביה יום¹⁸¹ חנכת תמניא יומין די לא למספד:

X. בעשרין ותמניא בטבת¹⁸² יתיבת¹⁸³ [בי] כנישתא על דינא:

XI. בתרין בשבט יום טב ודי לא למספד: בעשרין ותרין ביה בטילת עבידתא דאמר סנאה להיתאה להיכלא די לא למספד: בעשרין ותמניא ביה אתנטיל אנטיוכוס¹⁸⁴ [מלכא] מן ירושלם:

XII. בתמניא ובתשעה באדר יום תרועת מטרא: בתרין עשר ביה יום¹⁸⁵ טיריון: בתלת עשר ביה יום נקנור: בארבעת עשר ביה ובחמישה עשר ביה¹⁸⁶ [יומי] פוריא¹⁸⁷ [אינין] די לא למספד: בשתת¹⁸⁸ עשר ביה

¹⁶⁷ Babli Baba batra 115 b; Munich MS. has ותמניא.

¹⁶⁸ Babli Baba batra 155 b, בטבת.

¹⁶⁹ In P. בארבעה, likewise in Ṣedah la-Derek.

¹⁷⁰ Not found in P.

¹⁷¹ P. נפקו.

¹⁷² Not found in P.

¹⁷³ Babli R. ha-Shanah 18b, בטילת.

¹⁷⁴ In some editions by mistake אדרכתא.

¹⁷⁵ In Ṣedah la-Derek: 'On the 22nd'.

¹⁷⁶ Not in P.

¹⁷⁷ M. עדו.

¹⁷⁸ Not in P.

¹⁷⁹ Babli Yoma 69a: 'On 25th' (of Tebet).

¹⁸⁰ Not found in P., but it is in Babli Yoma 69a

¹⁸¹ Babli Shabbat 21 b, יומי דחנוכה תמניא אינון.

¹⁸² P. יתיבא.

¹⁸³ So in P.

¹⁸⁴ Not found in P.

¹⁸⁵ So in Jerushalmi Megillah 70c, Taanit 66a; Babli Taanit 18b, טוריינוס; in Ṣedah la-Derek this day not mentioned. In B. MS. it reads בתריסר.

¹⁸⁶ So in Babli Taanit 18b, Megillah 5b; not in Jerushalmi's parallels.

¹⁸⁷ Not in Jerushalmi, *ibid*.

¹⁸⁸ P. בשיטא.

שריו¹⁸⁹ למבנא יסור ירושלם די לא למספד : בשבעת¹⁹⁰ עשר ביה קמו
 עממיא על פליטת כפריא במדינא¹⁹¹ כלקים ובית¹⁹² זבדין¹⁹³ וזהו פרקן
 [לביית ישראל]: בעשרדין ביה צמו עמא למטרא¹⁹⁴ ונחת להון: בעשרדין
 ותמניא ביה אחת בשורתא טבתא ליהודאי דלא יעדון¹⁹⁵ מן אוריתא [די
 לא למספד]: להן כל אנשי דיהוי עלוהי¹⁹⁶ [מן קדמת דנא]¹⁹⁷ אסר¹⁹⁸
 בעלו: ²⁰⁰

These are the days on which one is not allowed to fast, and on some of them it is not permitted to mourn.

I. (a) From the 1st until the 8th of Nisan was established the Daily offering,—mourning is forbidden.

(b) From the 8th thereof until the close of the festival (of Passover) a holiday (of one week) was declared during which it is forbidden to mourn.

II. (a) On the 7th of Iyyar was the dedication of the wall of Jerusalem, and it is forbidden to mourn thereon.

(b) On the 14th thereof (was slaughtered) the Minor Passover, on which it is forbidden to mourn.

¹⁸⁹ So in Jerushalmi Taanit 66 a ; J. Megillah 70 c.

¹⁹⁰ Not in Jerushalmi Taanit 66 a, but is so in J. Megillah 76 c.

¹⁹¹ So in Jerushalmi Megillah 70 c ; P. בלבוס.

¹⁹² So in Jerushalmi 70 c.

¹⁹³ So in Jerushalmi Taanit 66 a and J. Megillah, *ibid*.

¹⁹⁴ Not in P. nor in Jerushalmi, *ibid*.

¹⁹⁵ It is found in Jerushalmi Taanit 66 d, and there we read צמון כל עמא.

¹⁹⁶ P. מפתנמי • אוריתא, so also Munich MS.

¹⁹⁷ Not found in B.

¹⁹⁸ Neither in J. Taanit 66 a nor in J. Megillah 70 c ; see the whole passage there.

¹⁹⁹ So in Jerushalmi, *ibid*.

²⁰⁰ Gaster, in his article, 'An unknown Hebrew Version of the History of Judith' (see *Proceedings of the Society of Biblical Archaeology*, reprinted March, 1894), is of the opinion that the passage in Cod. Heb. Gaster, No. 82, fragment 172 a-173 a, מועשה תנו רבנן: בשמונה עשר באדר יום, שיעלה סליקום הוא . . . refers to one of the holidays mentioned in our Megillah. This is not, however, acceptable. The reference to this holiday is in Hebrew, whereas our Megillah is entirely in Aramaic.

(c) On the 23rd thereof the garrison departed from Jerusalem.

(d) On the 27th thereof was discontinued payment of the tribute (from Judah and Jerusalem).

III. (a) On the 14th of Sivan the tower of the Fort was captured (see No. XXI).

(b) On the 15th and 16th thereof the people of Bethshean and the valley were exiled.

(c) On the 25th thereof the publicans were removed from Judah and Jerusalem.

IV. On the 4th (10th) of Tammuz the book of decrees was removed (on which it is not allowed to mourn).

V. (a) On the 15th of Ab, the day of Xylophoria, it is forbidden to mourn.

(b) On the 24th thereof we returned to our Law.

VI. (a) On the 7th of Elul was the day of the dedication of the wall of Jerusalem, on which it is forbidden to mourn.

(b) On the 17th thereof the Romans evacuated Judah and Jerusalem.

(c) On the 22nd thereof we began to slay the wicked.

VII. On the 3rd of Tishri were removed the 'mentions' on documents.

VIII. (a) On the 23rd of Heshvan the Sorega was torn away from the 'Azarah.

(b) On the 25th thereof the wall of Samaria was captured.

(c) On the 27th thereof they began again to bring the offerings of fine flour upon the altar.

IX. (a) On the 3rd of Kislev the images were removed from the Court.

(b) On the 7th thereof (a holiday).

(c) On the 21st thereof was the day of Mt. Gerizim (on which it is not allowed to mourn).

(d) On the 25th thereof is the day of Hanukkah : eight days it is forbidden to mourn.

X. On the 28th of Tebeth the Sanhedrin sat in judgement.

XI. (a) On the 7th of Shebat is a holiday, whereon it is not allowed to mourn.

(b) On the 22nd thereof the work on what the enemy commanded to bring into the Temple was stopped ; not allowed to mourn.

(c) On the 28th thereof Antiochus (the king) departed from Jerusalem.

XII. (a) The 8th and 9th of Adar they supplicated and sounded blasts for rain.

(b) On the 12th thereof is the day of Tyrian ; see No. XXIX.

(c) On the 13th thereof is the day of Nicanor.

(d) On the 14th and 15th thereof (are the days of) Purim, on which it is not allowed to mourn.

(e) On the 16th thereof was begun the building of the wall of Jerusalem ; it is forbidden to mourn thereon.

(f) On the 17th thereof the Gentiles arose against the refugees of Sepphoris in the province of Chalcis and in Beth Zabdain, but there came salvation (to the Jews) ; see No. XXX.

(g) On the 20th thereof the people fasted for rain (and it descended).

(h) On the 28th thereof the glad tidings reached the Jews that they were not to be restrained from the study of the Law. It is not permitted to mourn thereon.

It is obvious that the text of the Megillah is arranged

according to the sequence of the months and not in chronological order. To establish the historical relation between the events commemorated in the Megillah, and to interpret these, it is necessary to rearrange the various dates in a chronological setting. The following diagram is an outline of the events which underlie the celebrations described in the Megillah, and which fall into four main periods:

- A. The pre-Hasmonean Period.
- B. The Hasmonean Period.
- C. Roman Period till 65.
- D. The Great Revolt, 65-66.
- E. Miscellaneous.

CHAPTER VIII

A. THE PRE-HASMONEAN PERIOD.

I. FROM the New Moon of Nisan (until the 8th thereof) the Tamid was established.

According to the Scholiast this holiday commemorates the triumph of the Pharisees over the Sadducees when it was decided that the daily offering (Tamid) should be provided at the expense of the community (paid for out of the public treasury), in opposition to the view of the Sadducees who maintained that it should be paid for by individuals. This is also the generally accepted view.²⁰¹ It does not explain, however, why the fête should be protracted over seven days nor does it offer a reason for the particular selection of the week between the 1st and the 8th of Nisan to commemorate that Pharisaic victory. The Scholiast lightly passes over these difficulties by assuming *שְׁאוֹתֵן הַיָּמִים שֶׁדָּנוּם עֲשָׂאוֹם יו"ט*, that the debates which ended in that victory continued for a week—the first in Nisan, but this explanation is without support or corroboration. Dalman²⁰² thinks that this holiday commemorated the setting up of the Tabernacle by Moses in the Wilderness. This is not acceptable since the Tabernacle is not mentioned at all in the Megillah.

In my opinion, this holiday was instituted in memory

²⁰¹ Graetz, *Geschichte*, III, 2, n. 1. See also Derenbourg, *Essai*, p. 444. Schwab, *Actes du XI^{me} Congrès International des Orientalistes*, Paris, 1897, Section 4, pp. 235-6.

²⁰² *Aramäische Dialektproben*, p. 32.

of the dedication of the Second Temple when the Jews returned from Babylon. The dedication is described in Ezra 6. 15: ושיצא ביתה דנה עד חלתה לירח אדר . . . ועבדו בני ישראל כהניא ולייזא ושאר בני גלותא חנכת בית אלהא דנה בחדוה. 'And this house was finished on the 3rd day of the month Adar, . . . And the children of Israel, the priests and the Levites, and the rest of the children of the captivity, kept the dedication of this house of God with joy.' It is clear that the text must be emended, the correct reading being, not the 3rd, but the 23rd of Adar. The latter is found in the Septuagint and also agrees with 3 Ezra 7. 5, and *Antiq.* XI, 4. 7.²⁰³ In accordance with the prescribed requirements of Exod. 29, the following seven days were ימי מלואים, days of Consecration. This is also the tradition of the Talmud, which further corroborates the reading of the 23rd of Adar in the biblical text. The Talmud Menahot 45 a reads: ר' יהודה אומר פרשה זו אליהו עתיד לרורשה אמר לו ר' יוסי: מלואים הקריבו בימי עזרא כדרך שהקריבו בימי משה: R. Judah says: 'This passage is destined to be interpreted by Elijah. R. Jose said unto him: They observed the sacrifices of consecration in the days of Ezra even as they were observed in the days of Moses.' The passage referred to by R. Judah is Ezek. 45. 18, בקר תמים וחטאת, המקדש. What Rabbi Judah could not understand was the sacrificing of a sin-offering on the New Moon, when the burnt offering was really the New Moon offering (Num. 28. 11). To this R. Jose rejoined that Ezekiel's description of the sin-offering had no bearing on the character of the days as New Moon, but to the dedication of the Temple which was celebrated on that day, that is to say, just as in the days of Moses the seven days following the completion

²⁰³ Guthe, *Gesch.*, p. 248 and also D. C. Siegfried, ed. D. W. Nowack.

of the Tabernacle were days of consecration, after which the dedication proper was celebrated; so in the time of Ezra the seven days following the completion of the Temple on the 23rd of Adar were days of consecration, after which, on the 1st of Nisan, the Dedication of the Temple was duly observed by the sacrifice of the sin-offering (cp. Lev. 9. 2). It was on this day also that the Tamid was sacrificed for the first time, or in the words of the Megillah **אתחום תמיד**, the Tamid was established, or re-established, and the following week, that is, until the 8th of Nisan, was observed as a holiday.

In this connexion, the following passage in *Seder Olam* (ch. VII) is significant: **התחילו (ו' ימי) המלוואים בכ"ג באדר ובאחר**: בניסן שלמו. One is naturally confronted with the question whence did R. Jose, the author of the *Seder Olam*, derive the notion that the Tabernacle was set up 'on the 23rd day of Adar', when in Exodus it is stated explicitly **ביום החדש הראשון באחד לחדש תקים את משכן אהל מועד** (cp. Exod. 40, 2) and the actual setting up of the Mishkan is described in Exod. 40. 17, **ויהי בחדש הראשון בשנה השנית**.²⁰⁴ The view of R. Jose becomes even more perplexing when it is taken into account that Rabbi Akiba, who was R. Jose's teacher, was of the opinion that the **מלוואים ימי** began with the 1st of Nisan, in other words, that the Tabernacle was completed then and not on the 23rd of Adar.²⁰⁵ If then R. Jose, his pupil, differed

²⁰⁴ Cp. Ibn Ezra on Exod. 40. 38; Lev. 9. 1.

²⁰⁵ Sire 68 ed. Friedmann: **אדם**: **והיו אנשים אשר היו טמאים לנפש אדם** **מי היו ר' עקיבא אומר מישאל ואלצפן שנטמאו לנדר ואביהו נמצינו למדין שחל שביעי שלהם להיות בערב פסח**. This could only be if we consider the seven days of dedication as having commenced on the first of Nisan and continued to the eighth, and that on the eighth day Aaron and his sons began to offer their sacrifice while Nadab and Abihu were burned, and so

from his teacher, it is strange indeed that he nowhere mentioned the view of his teacher with which he was in conflict.²⁰⁶

It is my opinion that the passage of *Seder Olam* here alluded to was corrupted, and that the writer incorrectly substituted Mishkan for the Second Temple, for in the Talmud the terms Mishkan and Mikdash are frequently interchanged.²⁰⁷ The second Temple was really finished on the 23rd of Adar and the seven days of Milluim connected therewith ended by the first of Nisan. In *Seder Olam* this was confused with the Mishkan. This corruption early misled the Tannaim and Amoraim, who relied on the *Seder Olam*, in the view that the days of Milluim in the time of Moses began with the 23rd day of Adar.²⁰⁸

II. From the 8th thereof until the close of the festival (of Passover) a holiday (of one week) was declared during which it is forbidden to mourn.

The explanation of this holiday according to the Scholiast is that it marked the triumph of the Pharisees over the Sadducees, in the famous controversy regarding the date of Pentecost. The Scholiast does not explain, however, why this period of seven days before Passover should have been chosen as a memorial of that Pharisaic victory. It appears to me that these seven days were really an extension of the seventh day of the purification of Mishaël and Elzaphan, who had defiled themselves for the burial of their two cousins, fell on the eve of Passover.

²⁰⁶ That the Sifra Leviticus 9 likewise experienced difficulty (Shemini, IX, 1) is shown from the passage וַיְהִי בְיוֹם הַשְּׁמִינִי, where it says זֶה אַחֵר מִן הַכֹּתֻבִּים שְׁצָרִיךְ לִדְרוֹשׁ יוֹם הַשְּׁמִינִי is the eighth day of Nisan, but in *Seder Olam* this is made to refer to the eighth day of Milluim.

²⁰⁷ Shebu'ot 16 b; Erubin 2 a.

²⁰⁸ Comp. Sifre Numb. 44.

preceding week which is celebrated as a holiday following the dedication of the Second Temple, the motive being that as the time was close to Passover, the people could be induced to remain in Jerusalem to celebrate Passover by declaring the intervening period a holiday.²⁰⁹

III. On the 7th (5th) day of Iyyar was the dedication of the wall of Jerusalem and it is forbidden to mourn thereon :

The dedication of the wall of Jerusalem is mentioned twice in the Megillah as the cause of a holiday, viz. in connexion with the 7th of Iyyar and in connexion with the 7th of Elul. According to the Scholiast the holiday in Iyyar goes back to the dedication of the wall in the time of Nehemiah (Neh. 12. 27). Graetz²¹⁰ adopts the Scholiast's view, saying that even though the wall was finished by the 25th of Elul the dedication ceremonies were put off to the 7th of Iyyar when the city of Jerusalem was re-peopled.²¹¹

²⁰⁹ Ezra 6. 19-22 ; Sefer Mišwot Gadol, Mišwah 224 ; Dalman, *ibid.*, p. 21. Dr. Louis Ginzberg suggested to me that this Yom Tob can be traced to the Hasmonean period : Before Judas Maccabeus's victory over Antiochus and Lysias the Jews were not able to keep the sabbaths and festivals. The first festival which they were in a position to keep after the victory and dedication in Kislev—Passover—found many of the Judeans unclean (through contact with a corpse), as battles continued to be fought. Being desirous to offer up the Paschal Lamb, they purified themselves in the seven days between the eighth and the fourteenth, and for this cause they made the whole seven days a Yom Tob—in remembrance of the seven days whereon they had purified themselves before the Passover in order to keep the festival—a thing that they had not been able to do while Antiochus ruled over the Jews. (See Maimonides, Korban Pesash and Notes of Rabad and Semag.)

²¹⁰ Graetz, *Geschichte*, III, 2, n. 1.

²¹¹ Graetz, *Geschichte*, III, 2, n. 1, and II, 2, pp. 143-9.

CHAPTER IX

B. THE PERIOD OF THE HASMONEANS.

IV. On the 23rd (22nd) day of Heshvan they tore away the Sorega from the 'Azarah.

By Sorega²¹² they meant the structure of stones, interspaced lattice-work, in the shape of an altar, which the Greeks built in the 'Azarah and on which they offered sacrifices. To this 1 Maccabees (4. 43-6) alludes when, after describing how Judas repulsed the Syrians (165 B. C.), it tells us that before they set about cleansing the Sanctuary in order to rededicate it, they first purified the 'Azarah and cast out the stones from the Sanctuary and also tore down the altar. The stones which they threw out from the Sanctuary were those which the Syrians had built up in the 'Azarah for sacrificial purposes. Although 1 Macc. does not specify the exact date, still what it does say in that connexion, shows that it was before the 25th of Kislev (the dedication) and is to that extent in agreement with this interpretation of the Megillah. To this the Scholiast doubtless refers when he says: מפני שבנו יונים מקום בעזרה והיו מעמידים בתוכו [עליו] הזונות וכשתקפה יד השמונאים נטלוהו מהן [הוציאוהו משם] וסתרוהו . . . והיום שסתרוהו עשאוהו יום טוב²¹³

V. On the 27th of Heshvan they began again to bring the offering of fine flour upon the altar.

According to the Scholiast this holiday commemorates

²¹² See 'Aruk, s. v. סורג.

²¹³ See further Derenbourg, pp. 60-2; Schwab, *Actes du Onzième Congrès International des Orientalistes*, section 4, pp. 213-15.

the victory of the Pharisees over the Sadducees in a controversy concerning the disposition of flour that used to accompany the animal sacrifices, the latter contending that it should be burned with the sacrifice, the former holding the view that this meal-offering (מנחה) should be consumed by the priest. The explanations of the Scholiast, however, are not generally to be trusted, especially in his references to Pharisaic victories. He follows too freely a tendency to trace holidays to victories of the Pharisees when he has no other explanation at hand.²¹⁴ If the Pharisaic victories were celebrated in the manner described by the Scholiast it would be strange indeed that no holiday was instituted in honour of the decision with regard to the Water Libation,²¹⁵ or of other triumphs which were of far greater import than the point gained in the matter of the meal-offerings.²¹⁶ In no case have we in the Megillah a reminiscence of those debates. None of the holidays there enumerated commemorate the triumph of one faction over the other. All point to incidents that were a source of comfort and gladness to the whole nation. There must, therefore, be some other significance to the holiday of the 27th of Heshvan. From 1 Macc. 4. 42-3 we learn that after Judas cleansed the Temple he chose for the Temple service such priests as were qualified to officiate. According to Lev. 6. 13, the priests who were thus anointed had to offer the meal-offering of fine flour. The High Priest, in particular, had to offer up the meal-offering daily.²¹⁷ This, we may assume, was the cause of the holiday on the 27th of Heshvan.

²¹⁴ Cp. above, Nos. I and II, pp. 244-8.

²¹⁵ Sukkah 48.

²¹⁶ E. g. the decision in regard to the question 'טבול יום'; see S. Zeitlin, 'The tent Takkanaot Ezra', *JQR.*, N. S., vol. VIII, pp. 64-6.

²¹⁷ Josephtha Menahot VII, 14.

Although 1 Macc. makes no mention of the meal-offering of fine flour, it is possible that this is alluded to in the letters which 2 Macc. cites as having been written to the Jews of Egypt *καὶ προσηνέγκαμεν θυσίαν καὶ σεμίδαλιν, καὶ ἐξήψαμεν τοὺς λύχνους καὶ προεθήκαμεν τοὺς ἄρτους* (2 Macc. 1. 8).²¹⁸

VI. On the 25th day thereof (Kislev) is the day of Hanukkah: eight days and it is forbidden to mourn.

This is but a terse way of putting the information given in 1 and 2 Maccabees, that after the purification of the Sanctuary they celebrated the dedication of the Temple eight days²¹⁹ in the 149th year (Kislev 25, 165 B.C.E.), and made it an annual festival.²²⁰

VII. On the 28th day thereof (Adar) the good news reached the Jews that they were not to be restrained from the study of the Law. It is not permitted to mourn thereon.

The Scholiast interprets this passage as commemorating the end of the Hadrianic oppression through the successful efforts of Judah ben Shammua' and his colleagues to have the former harsh decrees annulled. Graetz²²¹ in this instance accepts the view of the Scholiast, and dates the event accordingly, 139/40 C.E. This, however, seems impossible; because such a holiday could not have been instituted so late if it was recorded in the Megillah. Thus in Rosh ha-Shanah 19 b, R. Meir and R. Jose dispute as to whether the festive days mentioned in the Megillah

²¹⁸ P. Cassel, *Messianische Stellen des Alten Testaments; Über Megillath Taanit*, p. 111.

²¹⁹ Josephus (*Antiq.* XII, 7. 7) calls this holiday *Φῶτα* (i. e. Feast of Lights). See, Geiger, *Urschrift*, p. 227; Derenbourg, *Essai*, pp. 62-3; Graetz, *Geschichte*, III, 2, notes 1 and 10; Schürer, *Gesch.*, p. 209.

²²⁰ For the establishment of this chronological date see above, pp. 57-9.

²²¹ Graetz, *ibid.*, n. 1, and IV, 185.

still enjoyed the same status after the destruction of the Temple. Furthermore, two generations earlier, in the days of R. Joshua and R. Eliezer, the provisions of the Megillah were no longer in force, as for instance in Lydda, where a fast was decreed on Hanukkah, מעשה וזורו העניה בהנכה בלוד, and it is therefore inconceivable that a new holiday should be added in the times of Judah ben Shammua', a disciple of R. Meir, to a calendar which appears to have already lost its sanctity. Derenbourg's²²² theory appears more plausible, that this holiday belongs to the Maccabean period when Antiochus V granted the Jews religious liberty. The epistle, which Antiochus addressed to the Jewish senate on this subject, was dated the 15th of Xanthicus of the 148th year. *χρησθαι τοὺς Ἰουδαίους τοῖς αὐτῶν δαπανήμασι καὶ νόμοις καθὰ καὶ τὸ πρότερον* (2 Macc. 11. 31). Derenbourg fails to explain the identification of Xanthicus with Adar. For, usually, Xanthicus corresponds to the Jewish month Nisan. If, however, we adopt the view of Usher, that at that time the Syro-Macedonians used the solar reckoning,²²³ it becomes possible that what is here called Xanthicus, the 15th, corresponded with the next to the last (i. e. 28th) day of Adar, the month before Nisan, the date on which in the words of the Megillah the glad tidings reached the Jews that they were not to be restrained from the study and observance of the 'Law'. This took place in the year 164 B. C. E.²²⁴

VIII. On the 28th thereof (Shebat) Antiochus departed from Jerusalem.

²²² Derenbourg, *Essai*, p. 59.

²²³ Usher, *De Macedonum et Asianorum anno solari*, London, 1648.

²²⁴ About this month Xanthicus, see Ideler, *Handbuch der Chron.*, I, p. 426; F. Hitzig, *Geschichte des Volkes Israel*, p. 410; Clinton, *Fasti Hellenici*, III, Appendix IV.

This fête day commemorated an incident recorded of Antiochus Eupator who had besieged the Temple-mount.²²⁵ Judas and his army were no longer able to offer resistance. It was a sabbatic year, and their food supplies were exhausted. They would have been compelled to surrender to Antiochus. But Antiochus suddenly heard that Philippus was marching on Antioch to capture it. Then at the advice of Lysias he made peace with the Jews.²²⁶ This is what the Megillah alludes to when it says, 'On the 28th of Shebat, Antiochus withdrew from Jerusalem.'

Such is also the opinion of Herzfeld.²²⁷ Graetz²²⁸ refers it to the death of Antiochus Epiphanes, and interprets the Scholiast's ושמע שמועות רעות והלך לו ונפל במקומו to mean that Antiochus Epiphanes travelled into Persia and died there. I consider Herzfeld's view correct: that the day commemorates the peace made by Antiochus V with the Jews. For the text of the Megillah reads: אנתנמיל אנתנמיל, and this fits in well with the fact of Antiochus's leaving Jerusalem after concluding a treaty. The Scholiast's observation as to the evil tidings is to be referred to the reports which reached Antiochus V concerning Philip's advance which threatened to result in the capture of Antioch. This fact impelled him to leave Jerusalem to hasten to the defence of his capital, where he was killed not long after by Demetrius I.²²⁹ The holiday dates, therefore, from Shebat 28th, 163 B.C.E., which was a sabbatical year.²³⁰

IX. On the 14th thereof (Iyyar) is the Minor Passover.

²²⁵ 1 Macc. 6. 28-62; 2 Macc. 13. 1-26.

²²⁶ See Derenbourg, *Essai*, p. 63.

²²⁷ Herzfeld, *Geschichte*, I, p. 280.

²²⁸ Graetz, *Geschichte*, III, 2, n. 1.

²²⁹ 1 Macc. 7. 1-4.

²³⁰ See about the sabbatical years chap. IV.

The commentators all agree that this is identical with the Pesah̄ Shenī mentioned in Num. 9. 2, which was instituted for the benefit of those who were unclean or, being 'on a distant way', could not reach the holy city by the 14th of Nisan. They were directed to celebrate the Passover on the 14th day of the second month.²³¹ It seems to me that in this connexion Pesah̄ Kāṭan has an entirely different significance. It was a holiday for the nation, not merely for those individuals who were debarred through the above-mentioned exceptional circumstances. The celebration of the 14th of Iyyar is to be connected with the disturbances caused by the wars. Owing to the battles which they fought against the Syrians, the Hasmo-neans, who were the chief priests, were away from the Sanctuary during the Passover season (most battles were fought in the spring), and therefore the Paschal lamb could not be offered up in its season, and the Paschal sacrifices had therefore to be postponed to the 14th of Iyyar. On this account the 14th of the year became a holiday in commemoration of the victories over the Syrians.

X. On the 13th of Adar is the day of Nicanor.

The victory of Judas over Nicanor is mentioned in 1 Maccabees as the occasion for making the 13th of Adar a holiday: *καὶ ἔστησαν τοῦ ἄγειν κατ' ἐνιαυτὸν τὴν ἡμέραν ταύτην τὴν τρισκαιδεκάτην τοῦ Ἀδάρ* (1 Macc. 7. 49; 2 Macc. 15. 36). According to the account of 1 Maccabees that victory was in the year 152 A. S., corresponding in the 162/1 B. C. E.; being in Adar, it must therefore have been in 161 B. C. E.²³²

²³¹ See Graetz, III, 2, n. 1; Derenbourg, *Essai*, p. 444.

²³² See about this above, p. 82, and note 27. See Derenbourg, p. 63; Schwab, pp. 219-20; Graetz, III, 2 (p. 565); Cassel, pp. 81-4.

XI. On the 14th^{232a} day of Tammuz the book of decrees was removed.

The origin of this also the Scholiast seeks in the controversies between the Pharisees and the Sadducees. I have shown above (No. V) that none of the holidays mentioned in the Megillah are to be traced to this cause. Cassel's view is acceptable, that the event hereby commemorated goes back to the time of Jonathan, and that the holiday was instituted because of the concessions which Alexander Balas and Demetrius granted to the Jews whereby all the decrees of the Greeks were annulled (1 Macc. 10).²³³

XII. On the 7th (4th) of Elul was the day of the dedication of the wall of Jerusalem.

This gala-day very likely goes back to the time of Jonathan. See 1 Macc. 10. 45, where we are told that Demetrius gave his sanction to Jonathan for the rebuilding of the wall of Jerusalem, and even gave him money from his own treasury for this purpose. Another possibility is that it refers to a similar event in the administration of Simon, when he actually built the wall of Jerusalem, to which we find this reference in 1 Macc. 13. 10: *καὶ ἐτάχυνε τοῦ τελέσαι τὰ τεῖχη 'Ιερουσαλήμ, καὶ ὠχύρωσεν αὐτὴν κυκλόθεν*.²³⁴

XIII. On the 27th of the month Iyyar the tribute from Judah and Jerusalem was discontinued.

The word כִּלְיָא is the equivalent of 'crown-money' (*στέφανος*), which according to 1 Maccabees was relinquished by Demetrius II in 170 A. S. (143 B. C. E.) to the Jews who

^{232a} See above, n. 165.

²³³ Cassel, *l. c.*, p. 107.

²³⁴ See further, P. Cassel, *l. c.*, p. 104.

had paid this tribute to the Syrians. By this act the Jews were raised to the status of an independent nation, and the yoke of the Gentiles was removed.²³⁵

XIV. On the 23rd thereof (Iyyar) the garrison departed from Jerusalem.

The year and the day in which the Greeks evacuated the fort are explicitly given in 1 Macc. (13. 51) in its account of Simon's activities. The 23rd day of the second month in the 171st year (142 B. C. E.).²³⁶

XV. On the 21st day thereof (Kislev) was the day of Mt. Gerizim.

Josephus speaks twice at least of the destruction of the Sanctuary on Mt. Gerizim—in *Bell. Iud.* I, 2. 6, and in *Antiq.* XIII, 9. 1. In Talmud Babli (Yoma 69a), and also in the Scholia to this Megillah the dismantling of the Temple on Mount Gerizim is attributed to Alexander of Macedon, but it is well known that the Temple on Gerizim

²³⁵ From this year, 170 A. S. (144-3 B. C. E.) they began to count the administration of Simon, but not the rule of the Hasmonean dynasty; this they began two years later, i. e. in the year 172, when in a public assembly it was resolved to confer upon Simon and his descendants the principality of Israel. This took place on the 18th of Elul in the year 172 (140 B. C. E.). Καὶ ὅτι εὐδόκησαν οἱ Ἰουδαῖοι καὶ οἱ ἱερεῖς τοῦ εἶναι αὐτῶν Σίμωνα ἡγούμενον καὶ ἀρχιερέα εἰς τὸν αἰῶνα, ἕως τοῦ ἀναστῆναι προφῆτην πιστόν (1 Macc. 14. 41). This statement of 1 Maccabees that the Jews accepted Simon as a prince for ever until a prophet should come, means that they gave the office to Simon and his descendants. (Comp. Ezra 2. 63; Neh. 7. 65.) And from this year 140 B. C. E., they began to count the dominion of the Hasmonean dynasty. To this allusion is made by the editor of *Seder Olam* (XXX), when he says, מלכות חשמונאי מאה ושלש שנים, the kingdom of the house of the Hasmoneans lasted 103 years; from that public meeting in 140 B. C. E. until the execution of Antigonus, the last ruler of the Hasmonean dynasty in the beginning of the year 37 B. C. (see above, p. 77), was a period of 103 chronological years. See Marzbacher, *Zeitschrift für Numismatik*, 1878, pp. 292-319. See also Graetz, III, 2, p. 565.

²³⁶ See Graetz, *l. c.*; Schwab, *l. c.*, p. 222.

remained intact until Hyrcanus destroyed it in the year 128 B. C. E.²³⁷

XVI. On the 15th and 16th day of Sivan the inhabitants of Beth-shean (Scythopolis) and of the valley (of Jezreel) were deported.

These two consecutive days commemorate the reign of John Hyrcanus, his children captured Scythopolis and devastated the valley of Jezreel as far west as the mountains of Carmel after a victory over Antiochus IX, *Bell. Ind.* I, 2. 7; *Antiq.* XIII, 10. 2-3.

Josephus in *Antiquities*, *ibid.* (282-3), tells of a miracle in connexion with this victory. While the sons of John Hyrcanus were carrying on the war with Antiochus IX, their father was officiating in the Temple; as he offered up incense, he heard a voice proceeding from the Holy of Holies, 'Thy sons have conquered Antiochus.' Leaving the Sanctuary he told it to the people; they took note of the time, and it proved to be true.²³⁸ This is similar to what the rabbinical sources tell us: מעשה ששמע יוחנן כהן גדול בת קול יוצאת מקדש הקדשים [ואמרת]. נצחו טליא דאולו לאנחא קרבה באנטוכיא [באנטיוכוס] ²³⁹ וכתבו אתו היום ואותה השעה והיה כן,

²³⁷ Graetz, III, p. 566. According to Josephus the destruction of the Temple on Mount Gerizim took place two hundred years after it was built. Now Josephus states, *Ant.*, XIII, 9. 1 and XI, 8. 4, 6, that the Temple was built by Sanballat for the sake of his son-in-law Manasseh. And that was in the time when Alexander the Great was in Syria, i. e. 333-332 B. C. E., which is to 128 B. C. E. more than two hundred years.

²³⁸ Φασίν γάρ, ὅτι κατ' ἐκείνην τὴν ἡμέραν, καθ' ἣν οἱ παῖδες αὐτοῦ τῷ Κυζικηνῷ συνέβαλον, αὐτὸς ἐν τῷ ναῷ θυμῶν μόνος ὢν ἀρχιερεὺς ἀκούσειε φωνῆς, ὡς οἱ παῖδες αὐτοῦ νενικήκασιν ἀρτίως τὸν Ἀντίοχον. καὶ τοῦτο προελθὼν ἐκ τοῦ ναοῦ παντὶ τῷ πλήθει φανερόν ἐποίησεν, καὶ συνέβη οὕτως γενέσθαι.

²³⁹ Here, no doubt, we should read באנטיכוס instead of אנטוכיא, Derenbourg, p. 74.

וּבִאֲחֻזוֹ הַיּוֹם נִצָּח.²⁴⁰ There is hardly room for doubt that the days whereon the sons of John Hyrcanus won their victory over Antiochus and captured Scythopolis were, respectively, the 15th and 16th of Sivan, just as our Megillah states.

XVII. On the 25th thereof (Ḥeshvan) Samaria was captured.

After a year's siege, about 108 B.C.E., John Hyrcanus captured Samaria. According to Josephus (*Bell. Iud.* I, 2. 7, and *Antiq.* XIII, 10. 3) he destroyed it at the time and turned Samaria into a pond.²⁴¹

²⁴⁰ Midrash-rabba on Canticles 8. 10; also Babli Soṭah 33 a; Jer., *ibid.*, IX, 24 b; Tosefta, *ibid.*, 13.

²⁴¹ Schürer, I, p. 268, n. 22, and Graetz, II, 2, 566-7.

CHAPTER X

THE ROMAN PERIOD.

XVIII. ON the 3rd of Kislev the images were removed from the Temple-court.

סִמְנֹתָא is borrowed from the Greek σημαῖαι, meaning images. We see in this statement a reference to Tiberius's order to Pilate to set up his statues in the squares of Jerusalem. Περμφθὲς δὲ εἰς Ἰουδαίαν ἐπίτροπος ὑπὸ Τιβερίου Πιλάτος νύκτωρ κεκαλυμμένας εἰς Ἱεροσόλυμα εἰσκομίζει τὰς Καίσαρος εἰκόνας αἱ σημαῖαι καλοῦνται (*Bell. Iud.* II, 9. 2).

The events which led up to this demonstration are described by Josephus both in *Bell. Iud.*, *ibid.*, and *Antiq.* XVIII, 3. 1. When the Jews heard of the order of Tiberius they petitioned Pilate not to set up the images of Caesar, for according to the Jewish religion it is forbidden to set up any image. Pilate would not listen to them and a few days later he summoned the people, to ask them whether they would consent to the setting up of Caesar's statues in Jerusalem and the people decried the act. Then Pilate commanded the legionaries to fall upon the people with their swords, but when the Jews proclaimed once more that they preferred death by the sword to violating a command of their religion, Pilate weakened in his resolution and ordered the removal of the images from Jerusalem. ὑπερθανμάσας δὲ ὁ Πιλάτος τὸ τῆς δεισιδαιμονίας ἄκρατον ἐκκομίσαι μὲν αὐτίκα τὰς σημαίας Ἱεροσολύμων κελεύει. (*Bell. Iud.*, *ibid.* 3; *Ant.*, *ibid.*) On that day the people

made a joyful demonstration, for, as the Megillah says, 'On the 3rd of Kislev the images were removed'.²⁴²

XIX. On the 22nd of Shebat the work ceased which the enemy commanded to bring into the Temple.

This refers to the report of Caligula's death which meant, among other things, annulment of the edict to put his statue in the Temple (*Bell. Iud.* II, 10. 5). The expression בטילת עבירתא is applied to the attempted installation of that image which the Zidonian artists had with great pomp already brought to Sidon (see Philo, *Legatio ad Caium*, ed. Cahn et Reiter).

We know that Petronius, desiring to give Caligula opportunity to change his mind, put obstacles in the way of those who wished to set up the statue, and that the work was entirely abandoned when he received a letter announcing that Caligula was killed (the assassination took place on January 24, 41 C.E.).

The Scholiast, though differing slightly in details, substantially agrees with Josephus.²⁴³ He tells us it was the

²⁴² G. Dalman, *Aramäische Dialektproben*, p. 33.

²⁴³ יום ישלח נסקלנא את הצלמים להעמידם בהיכל ובאתה שמועה לירושלים ערב יום טוב הראשון של חג אמר להם שמעון הצדיק עשו מועדיכם בשמחה, שאין אחד מכל הדברים ששמעתם יקום כי מי ששכן שכינתו בבית הזה כשם שעשה נסים לאבותינו בכל דור ודור כך יעשה לנו נסים בזמן הזה שמע קול בית קדשי הקדשים שהוא אומר בטילת עבירתא דאמר סנאה להיותא להיכלא אקטיל [ניום נוליקס. ו.] נסקלם ובטלו גזרותיו. . . . וכיון שראה שהיו ממשמשים ובאין אמר להם צאו וקדמו לפניכם. . . . כשגזר להם הדברים יצאו לפניו כל גדולי ירושלים אמרו נמות כלנו ולא תהא כזאת, והיו צועקים ומתחננים לשליח אמר להם עד שאתם צועקים ומתחננים (לשליח) [ליק] התחננו וצעקו לאלהיכם שבשמים להושיע אתכם. . . . וכיון שנכנס לכרך ראה בני אדם שהיו מוטלין בשוקים על השק ועל האפר לא הניע לאנטיפרס עד שבאת לו אגרת שנהרג נסקלנא ובטלו גזרותיו מיד בטלו את הצלמים. . . . ואותו היום. . . . עשאוהו יום טוב.

day whereon the images sent by נִסְקָלָם (evidently corruption of 'Caius Caligula') would have been set up in the Temple. Report (of the Emperor's purpose) came to Jerusalem on the eve of Succoth. Simon the Just, however, said to them, 'Celebrate your feasts joyfully, for none of these things which you have heard shall come to pass. He who caused his divine presence to dwell in this house, just as he brought to pass miracles for our ancestors in every generation, so will he do for us likewise.' He heard a voice from the Holy of Holies which said that the work was stopped which the enemy commanded to bring into the Temple; Gaskolas is killed and his decree is nullified. And when he saw that the Romans continued to come to the city he said to the Jews, 'Go out to meet them.' But when the Jews learned of the matter (of the images), they said, 'We will die, all of us, rather than allow Caesar's images to be set up.' They cried and supplicated the legate (Petronius). Said he (the legate) to them, 'Wherefore cry and pray ye (to the legate) (to me), pray ye unto your God to save you.' When the legate reached the city he saw the people covered in the streets in sackcloth and ashes. He had hardly reached Antipatris when a letter reached him announcing the death of Gaskolas (Caius Caligula) and his decrees were annulled. That day they made a holiday.²⁴⁴

XX. On the 16th of Adar they began to build the wall of Jerusalem.

The holidays of Iyyar 7th and Elul 7th commemorate dedicatory exercises in connexion with the walls of Jerusalem, while on this, the 16th of Adar, we are told

²⁴⁴ Graetz, III, 2, 573 and note 21; Derenbourg, p. 207, n. 1; Schwab, 244-6; Schürer, pp. 495-506.

‘they began to build the wall of Jerusalem’. Graetz sees therein a reference to the beginning which was made on the wall of Jerusalem and on the fortification of the suburb Parva by Agrippa I in 42–3 B.C.E.²⁴⁵ He did not complete these operations as the Emperor Claudius bade him to desist from the work. Hence the expression, ‘They commenced to build the wall’.²⁴⁶

²⁴⁵ Comp. Shebu'oth 16a; Tosefta Sanhedrin, III: מפני שתורפה של ירושלים היתה ונותה היא ליכבש משם.

²⁴⁶ See *Bell. Iud.*, II, 11, 6; Graetz, III, 2, p. 575.

CHAPTER XI

THE GREAT WAR AGAINST THE ROMANS.

XXI. ON the 14th of Sivan the tower of the fort was captured.

The Scholiast thus explains **זו קסרי בת אדום שהיא יושבת בין החולות והיא היתה לישראל יתר רעה בימי יונים . . . וכשנברה יר בני חשמונאים כבשום והוציאום משם והושיבו ישראל בתוכה ואותו היום 'שכבשוה עשאוהו יום טוב**. 'This is Caesarea, daughter of Edom, dwelling among the castles. It was a thorn in the side of Israel in the days of the Greeks, and when the Hasmoneans grew powerful they conquered it and deported its population and settled Jews in its midst. The day on which Caesarea was conquered they made a holiday.'

Graetz²⁴⁷ argues against the Scholiast's explanation showing that until the time of Herod, Caesarea continued to be inhabited entirely by Syrians and Greeks. It was Herod who settled Jews in that city. Graetz therefore suggests that this holiday indicated the period of Simon the Hasmonean. In this case, however, the text ought to read **מגדל צור** and not **אחידת בית צור**.

It appears to me that this holiday is connected with the Revolt, marking in fact, its outbreak, the first Jewish victory (over Florus). As Josephus (*Bell. Ind.* II, 15. 6) tells us, the priests and the people captured the towers of the fortress Antonia which joined that fortress with the Sanctuary; through their thus establishing themselves

²⁴⁷ Graetz, III, 2, pp. 574-5.

firmly there and thence controlling the whole city, Florus was compelled to give up Jerusalem.²⁴⁸ The Antonia was originally called the citadel or tower. Josephus often calls it Baris (*βάρης*),²⁴⁹ phonetically allied to its Hebrew designation *הבירה*,²⁵⁰ and only later when the tower was rebuilt by Herod, he named it Antonia in honour of his patron Antony. This citadel was situated on the north side of the Temple, and was originally built by the Hasmoneans.²⁵¹ The date of the Megillah, the 14th of Sivan, harmonizes with the date which Josephus assigns to the capture of Antonia, and thus significantly corroborates our interpretation. Josephus says that on the 16th and 17th of Artemisius there were riots in Jerusalem, and that the people swarmed about the army of Florus.²⁵² Not long after, the priests and the people succeeded in driving out the Romans, and taking possession of the environs of the Temple. They tore down the columns connecting the Temple and the Antonia. All this took place in the twelfth year of Emperor Nero, and, as we have proved, this was 65 C. E. In 65 C. E.

²⁴⁸ See *Bell. Iud.* II, 15, 5-6 Οἱ δὲ στασιασταὶ δέισαντες μὴ πάλιν ἐπελθῶν ὁ Φλώρος κρατήσῃ τοῦ ἱεροῦ διὰ τῆς Ἀντωνίας, ἀναβάντες εὐθέως τὰς συνεχεῖς στοὰς τοῦ ἱεροῦ πρὸς τὴν Ἀντωνίαν διέκοψαν. τοῦτ' ἐψυξεν τὴν Φλώρου πλεονεξίαν τῶν γὰρ τοῦ θεοῦ θησαυρῶν ἐφιέμενος καὶ διὰ τοῦτο παρελθεῖν ἐπιθυμῶν εἰς τὴν Ἀντωνίαν, ὥς ἀπερράγησαν αἱ στοαί, τὴν ὁρμὴν ἀνετράπη, καὶ μεταπεμπόμενος τοὺς τε ἀρχιερεῖς καὶ τὴν βουλὴν αὐτοῦ μὲν ἐξίναί τῃς πόλεως ἔφη, *Bell. Iud.* II, 330-2.

²⁴⁹ *Ant.* XV, 11, 4; XVIII, 4, 3; *Bell. Iud.* I, 3, 3; 5, 4.

²⁵⁰ See Graetz, II, 2, p. 145.

²⁵¹ Κατὰ δὲ τὴν βύρειον πλευρὰν ἀκρόπολις ἐγγώνιος εὐερκὴς ἐτετείχιστο διάφορος ἐχυρότητι. ταύτην οἱ πρὸ Ἡρώδον τοῦ Ἀσαμαναίων γένους βασιλεῖς καὶ ἀρχιερεῖς ᾠκοδόμησαν καὶ βάρην ἐκάλεσαν . . . τότε δ' οὖν ὁ τῶν Ἰουδαίων βασιλεὺς Ἡρώδης καὶ ταύτην τὴν βάρην ὀχυρωτέραν κατασκευάσας ἐπ' ἀσφαλείᾳ καὶ φυλακῇ τοῦ ἱεροῦ, χαρίζομενος Ἀντωνίῳ φίλῳ μὲν αὐτοῦ Ῥωμαίων δὲ ἄρχοντι προσηγόρευσεν Ἀντωνίαν (*Ant.* XV, 11, 4).

²⁵² See *Bell. Iud.* II, 15, 1-2.

the 17th of Artemisius (4th of June) fell on the 10th of Sivan,²⁵³ and according to Josephus the dismantling of Antonia took place several days after the happenings of the 17th of Artemisius, which is quite in agreement with the 14th of Sivan in the Megillah.

XXII. On the 25th (21st) of Sivan the publicans were removed from Judah and Jerusalem.

The Scholiast explains this paragraph with an Alexandrian legend. When the Ishmaelites, the Canaanites, and the Egyptians made common cause against the Jews, and complained to the Macedonian conqueror that the birthright belonged to Ishmael, that the land belonged to Canaanites, &c., Gebiha ben Pesisa, with the counsel of the Sages, controverted them and, adducing proofs from the Torah that the birthright and the land belonged to Israel, won his case, and that day was immediately declared a Yom Tob.²⁵⁴ Graetz²⁵⁵ has rightly pointed out that the דִּימוֹסֵנָי were the Roman publicans or tax-farmers. The holiday is to be explained from the fact that after the defeat of Florus and his retreat from the city the people ceased to pay tribute to Caesar. This fact is mentioned by Josephus; namely, that when Agrippa spoke to the

²⁵³ Ginzel, *Handbuch der mathematischen und technischen Chronologie*, Tafel III. The beginning of the month was sometimes observed two days after the re-birth of the Moon, according to a statement in Rosh ha-Shanah 20-21 b; see also Wieseler, *Chronologische Synopse*, p. 444.

²⁵⁴ כִּשְׁבָאוּ בְּנֵי יִשְׁמָעֵאל לְעוֹדֵר עַל יִשְׂרָאֵל עַל הַבְּכוּרָה וּבְאוּ עִמָּהֶם שְׁתֵּי מִשְׁפְּחוֹת רַעוּת כְּנַעֲנִיִּים וּמִצְרִיִּים אָמְרוּ כִּי יֶלֶךְ וִידוֹן עִמָּהֶם אָמַר לָהֶם (גְּבִיָּהָ) בֶּן פְּסִיסָא . . . לַחֲכָמִים [תָּנוּ לִי רְשׁוֹת] . . . וְאֶדוֹן עִמָּהֶם . . . הִנִּיחוּ (בְּתִיהֶם כֶּשֶׁהֶם מִלֵּאִים) שְׂדוֹתֵיהֶם כֶּשֶׁהֶם זְרוּעוֹת כְּרָמֵיהֶם כֶּשֶׁהֶם נְטוּעוֹת . . . וּבִרְחוּ . . . אוֹתָהּ שָׁנָה שְׁבִיעִית הִיתָה וְעָשׂוּ אוֹתוֹ הַיּוֹם יוֹם טוֹב

²⁵⁵ Graetz, III, 2, pp. 573-4. See also Derenbourg, p. 46, n. 2; Schwab, pp. 246-7.

people in favour of peace he reproved them for having ceased to pay tribute to Caesar: ἀλλὰ τὰ ἔργα, ἔφη, 'Ρωμαίοις ἤδη πολεμούντων ἐστίν· οὔτε γὰρ Καίσαρι δεδώκατε τὸν φόρον καὶ τὰς στοὰς ἀπεκόψατε τῆς Ἀντωνίας (*Bell. Ind.* II, 16. 5). Comparing the two items in the Megillah, we see that it was only shortly after the defeat of Florus on the 14th of Sivan that the people ceased to pay tribute to Caesar, on the 25th day thereof.

XXIII. On the 17th of Elul the Romans evacuated Jerusalem.

Graetz²⁵⁶ rightly connects this celebration with the Great Revolt. But he errs in identifying this holiday with the request of the Roman army to the Jews to allow them peacefully to evacuate the forts (*Bell. Ind.* II, 17. 10). According to Josephus none of the Romans (excepting Metilius, who saved his life by becoming a Jew) left Jerusalem, for when they left the forts the Jews killed them.²⁵⁷ Our Megillah, however, says distinctly נִבְקוּ רוֹמַאי מִירוּשָׁלַם, besides which the incident just cited (according to Josephus, *ibid.*, 8-10) did not take place until after Gorpiaeus 6th or September 24th, which this year fell on Tishri.²⁵⁸

Graetz fell into error through assuming that Loüs and Gorpiaeus were Jewish months clothed in Syro-Macedonian names, the former being Ab and the latter Elul. This view seemed to find support in Josephus's (*Bell. Ind.* II, 17. 6-7) relation of the Jews' triumph over Agrippa's army after the wood-festival of the 14th Loüs: τῆς τῶν ξυλοφορίων

²⁵⁶ Graetz, p. 574.

²⁵⁷ Οἱ μὲν οὖν οὕτως ὡμῶς ἀπεσφάγησαν ἅπαντες πλὴν Μετιλίου, τοῦτον γὰρ ἰκετεύσαντα καὶ μέχρι περιτομῆς ἰουδαΐσειν ὑποσχόμενον διέσωσαν μόνον.

²⁵⁸ See below, XXV, p. 269.

ἐορτῆς . . . τῇ δ' ἐξῆς, πεντεκαίδεκάτῃ δ' ἤν Λώου μηνός. This wood-festival is assumed to have been identical with that of the 15th of Ab, which is mentioned in the Mishnah (Taanit 26a) and in the Megillah. Graetz even suggests that in our copies of Josephus, 15th of Loüs should be read for the 14th.²⁵⁹ There is no valid proof for this identification, and there is even less justification for this forced emendation. In fact there were nine times appointed in the year which were known as wood-festivals. Thus Taanit 26a, זמן עצי העם והבהנים חשעה. As I have demonstrated above, the months in *Bell. Iud.* were not Jewish months, but the months of Tyre, which were used in Syria (see above). The month of Loüs therefore (in *Bell. Iud.*) might be either Ab or Elul, and the wood-festival mentioned in *Bell. Iud.* consequently need not at all be that of the 15th of Ab. We may, however, infer that in the year 65 B.C.E. the 14th of Loüs fell on September 2,²⁶⁰ and this coincides significantly with the 10th of Elul, which is one of the wood-festivals mentioned in the Mishnah.²⁶¹ The event of the 17th of Elul, which is mentioned in the Megillah, therefore took place about a week after the 14th of Loüs, which was none other than the defeat which the Jews inflicted on the army of Agrippa and the army of the Romans, according to Josephus, a few days after the 15th of Loüs. On this occasion Agrippa's army was forced to capitulate in order to secure safe egress from the city, which the Jews allowed, and they departed (*Bell. Iud.*, *ibid.* 8): οἱ δὲ ἔνδοθεν πρὸς τε τὸν Μανάημον καὶ τοὺς

²⁵⁹ Graetz, pp. 460, 572; Derenbourg, pp. 109-10, n. 2. See Noris, *Annus et epochae Syro-Macedonum*, I, p. 51; Wieseler, *Chronol. Synopse*, p. 448; Schürer, I, p. 757.

²⁶⁰ See below, No. XXV, p. 269.

²⁶¹ According to Munich MS. and also British Museum MS.

ἐξάρχοντας τῆς στάσεως ἔπεμπον, ἀξιοῦντες ἐξελθεῖν ὑπόσπονδοι, καὶ δοθὲν μόνοις τοῖς Βασιλικοῖς καὶ τοῖς ἐπιχωρίοις οἱ μὲν ἐξήεσαν. This, then, is what the Megillah refers to when it says, 'On the 17th of Elul the Romans evacuated Jerusalem' (Agrippa's troops).

XXIV. On the 22nd day thereof they began again to slay the wicked.

Graetz and Derenbourg²⁶² understand the Scholiast to refer the origin of this holiday to the Hasmonean era. It is doubtful, however, whether this was the meaning of the Scholiast. These are his words : מפני שהיו יוונים [גויים] שרוים²⁶³ בארץ ישראל ולא היו ישראל יכולין לשלוח יד ברשעים שבהם עד שיצאו משם, המתינו להם שלשה ימים אם יעשו תשובה ולא עשו . . . נמנו עליהם והרגום. 'While the Greeks (gentiles) were staying in Judea, the Jews could not punish the wicked among them. After they departed, however, the Jews waited three days for the wicked to show repentance. When they did not repent, judgement was passed upon them and they were executed.'

In any event this interpretation of the Scholiast is not acceptable. The incident here depicted happened less than a week after Agrippa's departure from Jerusalem. The refusal of the 'wicked' describes the attitude of the Roman soldiers who would not surrender and give up their weapons to the Jews. The Jews waited until the 22nd of Elul, but the Romans were still defiant and the Jews again attacked the stronghold and killed the Romans, ἀθυμία δὲ τοὺς Ῥωμαίους καταλειφθέντας μόνοις ὑπέλαβεν οὔτε γὰρ βιάσασθαι τοσοῦτον πλῆθος ἐδύναντο καὶ τὸ δεξιὰν αἰτεῖν ὄνειδος ὑπελάμβανον, πρὸς τῷ [τὸ] μὴδὲ πιστεύειν εἰ διδοῖτο. καταλιπόντες δὴ τὸ στρατόπεδον ὡς εὐάλωτον ἐπὶ τοὺς

²⁶² Graetz, *l. c.*, p. 566; Derenbourg, *l. c.*, p. 69.

²⁶³ According to Parma MS.

βασιλικούς ἀνέφυγον πύργους, τόν τε Ἴππικόν καλούμενον καὶ τὸν Φασάηλον καὶ τὸν Μαριάμμην (*Bell. Iud.* II, 17. 8).

XXV. On the 3rd of Tishri was removed the 'mentioning' from documents.

According to the Scholiast this item belongs to the Hasmonean period. When the Hasmoneans conquered the Greeks they decreed that the Divine Name should be mentioned in public documents, that all documents should bear the formula 'in such and such a year of Johanan, high priest to the most high God', &c. Subsequently the sages annulled the decree on the ground that after the expiration of the deed the bill would be discarded and thus the name written thereon would be exposed to indignity.

Graetz²⁶⁴ thinks that this goes back to the time in Simon's administration when they abolished the Seleucid era and began to count the years from the date of the regained independence.

It is my belief, however, that this holiday can safely be assigned to the Revolutionary period. After the Judean victory over Agrippa's army on the 17th of Elul and after the incidents of Elul 22nd, when the Romans were compelled to flee and find refuge in the fortresses of the king, the Jews succeeded on the 3rd of Tishri in capturing and setting fire to the royal palaces and in exterminating the enemy. Thereby the Jews completely threw off the yoke of the Romans as well as their allegiance to King Agrippa. It then became natural to remove the names of Caesar and Agrippa from the public documents and coins. Until then it had been customary to write in all documents, 'in such and such a year of the imperium of such and such a Caesar

²⁶⁴ Graetz, III, 2, p. 572; Schwab, pp. 228-9; see also Geiger, *Urschrift*, p. 34, n. 1.

at Rome'. Now, however, when they had won a victory over the Romans and had burned Agrippa's palace, they ceased writing in documents the number of the year of the reigning emperor. It is quite likely that about the same time new coins were issued with the legend *השנה הראשונה לנאולת ישראל*. The symbol thereon was, in consonance with the character of the approaching festival, the four species in the Lulab, while on reverse was the representation of a Sukkah.²⁶⁵

That our identification is correct is seen from Josephus who dates the above event definitely on the 6th of Gorpiaeus (*Bell. Iud.* II, 17. 8). *οἱ δὲ περὶ τὸν Μανᾶημον εἰσπεσόντες ὄθεν οἱ στρατιῶται διέφυγον ὅσους τε αὐτῶν κατελάβανον μὴ φθάσαντας ἐκδραμεῖν διέφθειραν, καὶ τὰς ἀποσκευὰς διαρπάσαντες ἐνέπρησαν τὸ στρατόπεδον. ταῦτα μὲν οὖν ἔκτεη Γορπιαίου μηνὸς ἐπράχθη.* The 6th of Gorpiaeus (24th September) in 65 C.E. was the 3rd of Tishri.²⁶⁶

Thus, too, this paragraph of the Megillah harmonizes with what we have shown above independently, that the 14th of Loûs to the 6th of Gorpiaeus is 23 days (17 + 6), while from 10th of Elul to the 3rd of Tishri is also 23 days (20 + 3). In this connexion it may further be pointed out that all these victories were the work of Menahem,²⁶⁷ son

²⁶⁵ Graetz, III, pp. 469-70 and note 30.

²⁶⁶ The beginning of the month Tishri in the year 65 C.E. was 22nd of September, see F. K. Ginzel, *Handbuch der mathematischen und technischen Chronologie*, II, Tafel III-IV, Leipzig, 1911. See above, note 253.

²⁶⁷ It may have been due to the popularity of this man Menahem who threw off the yoke of Rome and the Herodian dynasty from the Jews that they gave the name Menahem to the Messiah, or it is even possible that they called him Messiah. The Talmud says the name of Messiah is Menahem, son of Hezekiah, *מנחם בן חזקיה שמו*, Sanhedrin 98 b, and in Midrash Rabba (to Lam. i) also it is stated that his name is Menahem and the name of his father is Hezekiah. Comp. also Jer. Berakot 5.

of the well-known scribe Judas the Galilean, the σοφιστὴς δεινότατος whose party seceded from the Pharisees on one point, namely by refusing to recognize the rule of any person or king other than God. δυσνίκητος δὲ τοῦ ἐλευθέρου ἔρως ἐστὶν αὐτοῖς μόνον ἡγεμόνα καὶ δεσπότην τὸν θεὸν ὑπειληφόσιν . . . ἀνοία τε τῇ, ἐντεῦθεν ἤρξατο νοσεῖν τὸ ἔθνος Γεσσίου Φλώρου, ὃς ἡγεμὼν ἦν, τῇ ἐξουσίᾳ τοῦ ὑβρίζειν ἀπονοήσαντος αὐτοὺς ἀποστήναι Ῥωμαίων (*Ant.* XVIII, 1. 6).

Judas had in time of Quirinus taunted the Jews because of their recognition of the authority of the Romans, whereas according to his view the Jews were of right subject to God alone (*Beil. Iud.* II, 8, 1). So now on the 3rd of Tishri (65 C.E.) the opportunity came to his son Menahem to put into practice his father's theory, i. e. to throw off the yoke of Rome and, consistently with the programme, to abolish the mention of the year of the Emperor or of the Herodian ruler on the documents. This issue which divided Judas and his party from the Pharisees is alluded to in an obscure Mishnah (*Nadaim*, IV, 8) which now becomes clear. אמר גלילי²⁶⁸ קובל אני עליכם פרושים שאתם בותבים המושל עם השם בנט²⁶⁹ אומרים פרושים קיבלים אני עליך גלילי

Menahem in Josephus's record was the son of Judas and grandson of Hezekiah. See more about Menahem, S. Zeitlin, 'The last days of Jerusalem', *Jewish Forum*, April, 1918.

²⁶⁸ In copies of the Talmud the reading varies, צדוקי and גלילי. Here, certainly, either it was Judah himself or one of his party that disputed with the Pharisees. See also Geiger, *Urschrift*, pp. 35, 146; Derenbourg, *Essai*, p. 161.

²⁶⁹ All editions of the Talmud now extant have המושל עם משה בנט, but that there were copies with המושל עם השם is borne out by the Tosafists (*Baba batra* 162a), and this is the correct reading. If we read 'the ruler with Moses', then the answer of the Pharisees to their opponent becomes illogical, as he asked them why they write 'the ruler with Moses',

... שאתם כותבין את המושל עם השם ברך. Thus said [Judas] the Galilean, 'I protest against you, O Pharisees, because you inscribe in the documents the name of the ruler, together with the Divine Name, i.e. by dating the documents according to the reign of Caesar or the Herodian dynasty, you recognize the suzerainty of a power other than God.' The Pharisees replied, 'We protest against thee, O Judas, for ye, too, write the name of the ruler on the same page with the Divine Name, i.e. when in the scroll of the Law you write Pharaoh king of Egypt, by the side of the Divine Name.'

XXVI. The 7th day thereof (Kislev) is a holiday.

The Megillah in this instance does not indicate the reason for this holiday. The Scholiast explains that it commemorated the death of Herod (I). A critical examination shows this conjecture of the Scholiast to be untenable. For it can be proved clearly that the 7th of Kislev was not the date of King Herod's death.

From *Antiq.* XVII, 8. 3. 9. 3, and *Bell. Jud.* II, 1. 1-3, it is plainly to be inferred that Herod died not long before Passover. It is stated there that Archelaus, after the seven days of mourning and seclusion, repaired to the Temple about the time when the people flocked to Jerusalem to celebrate Passover. The 7th of Kislev is seventeen weeks before the Nisan festival. Graetz in defence of the Scholiast transfers the expression 'thereon died Herod' to the cor-

and they answer that in the Torah they have precedent for writing the ruler with the Divine Name. The original reading must have been 'the ruler with the Name', and the word גט led the compilers and others into an error, whereby they considered it equivalent to a writ of divorce, containing the formula כרת משה וישראל (see Tosaphot, *ibid.*), and therefore they thought the reading in the Mishnah Yadaim IV, 8 must be המושל עם מ"ה. But here גט connotes any and every kind of document.

responding gloss for the second of Shebat²⁷⁰ which is also designated in the Megillah יום טב without other qualification, and he substitutes in our passage the gloss 'thereon died (Alexander) Jannai the king' which is found in the present scholia for the 2nd of Shebat. This substitution is not of much avail, for the 2nd of Shebat is fully ten weeks before Passover and therefore does not harmonize with the above cited passage of Josephus. Moreover from *Antiq.* XVII, 6. 4, we learn that not long before Herod's death there was an eclipse of the moon,²⁷¹ and we know that in 4 B.C.E. the moon's eclipse was on March 12-13.²⁷² In that year Passover fell on April 11th.²⁷³ This proves conclusively that Herod died in the end of Adar and not on the 7th of Kislev, or on the 2nd of Shebat.²⁷⁴

²⁷⁰ Graetz, *l. c.*, p. 571.

²⁷¹ See Josephus, *Ant.* XVII, 6. 4.

²⁷² Ginzel, *Spezieller Kanon der Sonnen- und Mondfinsternisse*, Berlin, 1899, pp. 195-6.

²⁷³ Ginzel, *ibid.* See also Schürer, *Geschichte*, I, p. 416.

²⁷⁴ Fixing the date of Herod's death is not only important in itself, but has additional interest for those who believe in the historicity of Jesus of Nazareth, whom Matt. (2. 1) states to have been born in Herod's reign. As we have said, Herod died a short time after the eclipse of the moon witnessed in Jerusalem 12-13th March, 750 A.U.C. (4 B.C.E.) according to these scholars; consequently Jesus must have been born before Nisan 750 A.U.C., 4 C.E. This chronology reckoned from his birth is at least four years behind.

Some scholars perceive a difficulty arising from another statement of Josephus, *Ant.* XVII, 8. 1, *Bell. Iud.* I, 33. 8, that Herod ruled thirty-four years *de facto* after his capture of Jerusalem; but from 37 B.C. to 4 B.C. would make only thirty-three years. Schürer expresses the opinion that Josephus habitually adds one year, and that he deduces from Josephus's statement that the interval between Pompey's capture of Jerusalem and by Herod's was twenty-seven years, whereas it was only twenty-six years (from 63 B.C.E. to 37 B.C.E.). But I have shown that Josephus counted not mathematical years, but chronological years—i.e. he counted fractions of a year as a whole. Thus the number of the years of Herod's reign will be thirty-four years—he having become king shortly after the capture of

To properly identify this holiday, it is necessary to consider first why in this and in one other instance, the chronicler of the Megillah refrained from making any explanation regarding the cause of the holiday. Undoubtedly the chronicler's silence in these instances is due to their being recently instituted holidays *pro tempore*. The incidents being well known to all, it was not necessary to add any explanations. The contemporaries, at the time when the Megillah was first drawn up, found it unnecessary to receive any explanations of these incidents. It certainly was not the purpose to present a historical survey for coming generations of Eleazar ben Hanina ben Hezekiah ben Garon and his associates. Now these men were connected with the Judean revolt against Rome.²⁷⁵ Their activity falls in the few years preceding the destruction of the Temple. We should naturally look to that uprising to find the important event that signalized the 7th of Kislev, and thus indeed the event may be readily identified.

Josephus, in *Bell. Ind.* II, 19, describes the victory of the Jews over Cestius which took place on the 8th of Dios in the 12th year of Emperor Nero.²⁷⁶ This was the year 65 C.E.²⁷⁷ Now the 8th of Dios corresponds to Nov. 25th which in that year was co-incident with the 7th of Kislev.²⁷⁸

Jerusalem—which fell on the 10th of Tebet, 37 B. C., and continued to reign until the end of Adar 4 B. C. See further above, chap. III, and also chap. VI. (About the chronology of Archelaus, see Appendix.)

²⁷⁵ About the activity of Eleazar see Derenbourg, *Essai*, chap. XVII.

²⁷⁶ Τάδε [Ταῦτα] μὲν οὖν ἐπράχθη Δίου μηνὸς ὀγδόη, δωδεκάτῃ τῆς Νέρωνος ἡγεμονίας ἔτει (*Bell. Ind.* II, 19. 9).

²⁷⁷ See above, chap. VI, p. 74.

²⁷⁸ Ginzell, *Handbuch*, Tafel III; see also note 253. From the sixth of Gorpiaeus—Sept. 24—to the eighth of Dios—Nov. 25—there are sixty-three days; while from the third of תשרי to the seventh of כסלו there are now sixty-four days. This discrepancy is explained by the circumstance

Thus, the apparently enigmatical reference of the chronicler to the holiday of the 7th of Kislev, is tantamount to saying, 'The victory over Cestius is quite fresh in your minds.'

The above explanation of the seventh of Kislev is the final link in the chain of evidence which we adduced from the Megillah to support the general thesis of Niese that virtually all of the dates regarding the events of the Great Revolt which occur in *Bell. Ind.* belong to the Tyrian calendar. This particular date which is the 8th of Dios, however, has been utilized by others to prove that the non-Hebrew names of the months in *Bel. Ind.* are only the Roman equivalents for the actual Hebrew calendar, and that the Jewish victory over Cestius on the 8th of Dios corresponded in fact to the 8th of Marḥeshvan. For in describing Cestius's arrival at Lydda, Josephus states that the city was denuded of men owing to their having gone to Jerusalem to celebrate the Feast of Tabernacles. Now the defeat of Cestius took place nine days after his arrival in Jerusalem. If the date of this event be accepted as the 7th of Kislev, then it is impossible to account for the long interval between the known period of Cestius's arrival in Lydda and the inferred date of his coming to Jerusalem.²⁷⁹ It is therefore argued that the Syro-Macedonian names of the months which occur in *Bel. Ind.* are really the equivalents of the corresponding months in the Jewish calendar, that the name Dios is employed to designate the Hebrew month Heshvan, and that the 8th of Dios is therefore the 8th of Heshvan.

that in those days both תשרי and חשון were defective months (תשרי was, then, always defective, comp. Jer. Sanh. 18 d).

²⁷⁹ Westberg, *Zur neutestamentlichen Chronologie*.

The chief argument on which this theory is based does not hold water. For Cestius's arrival in Lydda need not at all be fixed as prior to or during the Feast of Tabernacles. On the contrary, he may well have come to Lydda in the beginning of the last quarter of Heshvan and yet found the place empty of men. For the people who went to Jerusalem to celebrate Succoth, seeing that the war had begun, might and naturally would prefer to remain in Jerusalem in order to engage in defensive and offensive operations against the Romans. *Οἱ δὲ Ἰουδαῖοι κατιδόντες ἤδη πλησιάζοντα τῇ μητροπόλει τὸν πόλεμον, ἀφέμενοι τὴν ἐορτὴν ἐχώρουν ἐπὶ τὰ ὄπλα, καὶ μέγα τῷ πλήθει θαρροῦντες ἄτακτοι καὶ μετὰ κραυγῆς ἐξεπήδων ἐπὶ τὴν μάχην μηδὲ τῆς ἀργῆς ἐβδομάδος ἔννοιαν λαβόντες* (*Bell. Iud.* II, 19. 2).²⁸⁰

Of the Jewish victories over Florus and Cestius we have a reminiscence in Aboth di R. Nathan, chap. IV. When Vespasian came to destroy Jerusalem, the Hagadah tells us, he said to the Jews, 'Ye are fools, why will ye bring about the destruction of this city and this sanctuary—what do I ask of you but a bow and arrow (evidently a sign of subjection and obedience); send it to me, and I shall go away from you.' The Jews replied to him, 'As we vanquished the two generals who preceded thee and killed them, so will we go out against thee and kill thee.' The two former generals were undoubtedly Florus and Cestius.²⁸¹

²⁸⁰ As to the general support of our assumption of the Syrian character of the calendar in *Bel. Zed.*, see above, chap. V.

²⁸¹ וכשבא אכפסניום להחרב את ירושלים אמר להם, 'שומים מפנימה אתם מבקשים להחרב את העור אואת ואתם מבקשים לשרוף את בית המקדש וכי מה אני מבקש מכם אלא שתשגרו לי קשת אחת או חץ אחת ואלך לימכם'; אמרו לו היהודים כשם שיעצאנו על שנים הראשונים שהיו לפניך והרגנום כך נצא עליך ונהרגך. See also Derenbourg, *Essai*, p. 284.

XXVII. On the 28th of the month Tebet the Sanhedrin sat in judgement.

The word Kenishta, used in the Aramaic, applies to the Keneset-ha-gedolah, which came into being in the days of Ezra, or to the Sanhedrin (Beth-din ha-gadol) which met in the Chamber of Hewn Stones. This holiday serves to perpetuate an event that took place not long after that victory over Cestius on the 7th of Kislev. According to Josephus, leading men assembled in the Sanctuary to choose generals to conduct the war against the Romans, and we cannot doubt that at the same time they proceeded to set up a republican government in place of the régime that had ceased since the 3rd of Tishri (see above, No. XXV). καὶ συναθροισθέντες εἰς τὸ ἱερόν στρατηγοὺς ἀπεδείκνυσαν τοῦ πολέμου πλείονας (*Bell. Iud.* II, 20. 3). There were at that time two men chosen (Joseph, son of Gorion, and Anan the high priest) as heads of the administration at Jerusalem. This official action is evidence that the Sanhedrin which, according to the Talmud, had been compelled to abandon the Chamber of Hewn Stones (Lishkat ha-Gazit) forty years before the destruction of the Temple, and to meet in a חנות,²⁸² was now able to take up its old abode after the victory over Cestius. And it is there whence Jewish law should proceed²⁸³ that we find them

²⁸² ארבעים שנה עד של חרב הבית גלתה מנהדרין וישבה בחניות, Shabbat 15 a, Abodah zarah 8 a.

²⁸³ מעשה וברק בן זבאי בעקצי תאנים (R. ha-Shanah 31 a); Derenbourg, *Essai*, pp. 277-8.

Now we can understand a certain Mishnah in Sanhedrin (chap. V, Mishnah 1) which states: מעשה וברק בן זבאי בעקצי תאנים. The Talmud goes to some length in explaining this Mishnah, to the effect that the great teacher was very careful in a case involving capital punishment, to examine the witnesses in all minuteness; when the fig-tree under which they testified the man had been killed was mentioned he asked whether the

in session again making provisions in all matters pertaining to the law and the people. There being no other authority or governing body besides them, the Sanhedrin had full power, and all things were done by their command.²⁸⁴

There seems to be another reference in the Megillah to the same event :

‘On the 24th day thereof (Ab) we again rendered judgements.’ It is more than probable that through a copyist’s error two dates are assigned for the celebration of this noteworthy event. This is suggested by a comparison of the Scholion to this passage with its parallel in the Talmud (Bab. bat. 115b). In both sources, the holiday of the 24th of Ab is explained as commemorating a Pharisaic victory in the laws of inheritance. The manuscript readings of the Talmud, however, show a striking variant. MS. Munich reads the 28th of Ab in place of the 24th. The reading of the famous commentator R. Samuel b. Meir (RaShBaM) furthermore reads the 24th day thereof (כ"ד), and supplies the month of Tebet. Evidently, then, according to him, the event which in our text of the Megillah is connected with the 24th of Ab is to be ascribed

stems were fine or thick, white or black. The Amoraim were somewhat perplexed by this ; they could not help wondering how Rabban Johanan ben Zaccai could have presided in a session of the Sanhedrin when forty years before the destruction of the Temple the Sanhedrin is said to have been banished and deprived of its jurisdiction (see *ibid.* 41 a). But now as we realize that several years before the destruction of the Temple (i. e. in the beginning of 66 c.e.) the Sanhedrin again returned to the Hewn Stone Chamber and assumed jurisdiction, it is intelligible that Johanan ben Zaccai took part in the proceedings of the Sanhedrin. Indeed, after Vespasian captured Galilee, when the Zealots had wrested all power from the Sanhedrin, they had to gather a tribunal of seventy to judge and sentence a certain Zachariah ben Baruch to death (*Bell. Ind.*, IV, 5. 4).

²⁸⁴ *Bell. Ind.* II, 20, 3-4 ; see Derenbourg, *Essai*, 262-88.

to the 24th of Tebet. As the same event could not be celebrated on two days which are so far apart, it must be assumed that an error crept into the text of the Talmud which influenced the copyist to corrupt the talmudic passage and hence the Megillah. If our interpretation is correct then the original text of the Megillah did not contain any reference to the 24th of Ab. R. Samuel b. Meir evidently had the original text before him. Thus, too, we explain the fact that the Jerusalem Talmud which records the Pharisaic victory and the entire discussion connected therewith, does not assign any particular day to the event and makes no mention of any ensuing holiday.²⁸⁵

XXVIII. The 2nd of Shebat is Yom Tob.

As was suggested above (p. 274) the bareness of the

²⁸⁵ With reference to the word ביה Dr. Malter suggests the following: If the Rashbam had in his version of the Megillah, the reading 'on the 24th thereof' in connexion with the month of Ab, it is difficult to see what has forced him to interpret ביה in the Talmud as referring to Tebet. This is the more surprising as the word ביה can only be used when the month to which it is to refer had been mentioned before explicitly by name, e. g. in connexion with the 24th of Ab (where the name Ab is given in the immediately preceding 'on the 15th of Ab') but not in connexion with the event on the 24th or, as the case may be, 28th of Tebet, which is not preceded by any other incident credited to that month. We must therefore assume that in the Megillah of R. S. the incident was recorded only under the 28th of Tebet (not under Ab) and reading in the Talmud, like the Munich MS., בעשרים ותמניא ביה, he felt it necessary to explain that the word ביה, right or wrong, must refer to Tebet as there was no other month in the Megillah to which the incident could be referred. It is true that R. S. quotes בארבעה וארבעה, but this reading may be due to copyists or editors, who wished to harmonize his text with that of the Talmud. Of course, all this does not remove the difficulty why the Talmud quotes ביה instead of בטבת. We must either say that it is an inaccuracy, or that in the Megillah of the Talmudists there was still another incident recorded under Tebet prior to the 28th thereof. See A. Schwarz, 'La Victoire des Pharisiens,' *RÉJ.*, v. 63, pp. 51-6.

statement is an indication that the cause of the holiday was so well known as to require no specification, and that it marked an event that was contemporary with the time when the Megillah was compiled, namely, the period of the great Revolt. It may be assumed that the event which was celebrated on the 2nd of Shebat took place within a few days after the public assembly (28th Tebet) above mentioned, which met to regulate matters and to dispel the chaos prevailing since the 3rd of Tishri (see above, No. XXV). No striking events are known to have occurred then. It may be conjectured, therefore, that the day marked possibly the inauguration of the new officers. It is also possible that the day commemorated the reaching a decision as to what books were Canonical (ספרי קדש) and what were extra-Canonical (ספרים חיצוניים).²³⁶ Josephus's ignoring such incidents is quite in line with his tendency to disparage the leaders of the insurrection who figured therein. Here the Megillah supplies what he omits.

XXIX. On the 12th of Adar is the Day of Tyrion.

The Scholiast accounts for this holiday by the following narrative:—יום טריינום שחפס את לוליינום ואת פפום אחיו בלודקיא: אמר אם מעמי" של הנניה מישאל ועזריה אתם יבא אליהם ויציל אתכם מידי בדרך שהציל לחנניה מישאל ועזריה מיד נבוכדנצר אמרו לו הנניה מישאל ועזריה צדיקין כשרין היו ונבוכדנצר מלך הגון היה וראוי היה לעשות גם על ידו, אבל אתה מלך רשע אתה ואין ראוי לעשות גם על ידך ואנו חייבין מיתה ואם אין אתה הורגנו הרבה הורגים יש למקום, הרבה דובים . . . שיפגעו בנך, ואם אתה הורגנו עתיד הקבה" לתבע

ברם זכור אותו האיש לטוב [ואלעזר בן] הנניה בן חזקיה שמו שאלמלא ²³⁶ (Shabbat 13b); Derenbourg, p. 295. It is even possible that the decrees of the house of Shammai and the house of Hillel, known to us as שמונה עשר דבר נזרו בו ביום, also belong to this season and to this tribunal. See S. Zeitlin, 'Les Dix-huit Mesures', *RÉJ.*, 1914, pp. 22-36.

דמינו מידך אמרו לא נסע משם עד שבאת עלין דיופלה של רומי ופצעו את
 מוחו בנחרין ובבקעיות. The Day of Tryanos; he captured
 Lulianus and his brother Pappus in Laodicea. Said he to
 them: 'If ye be of the people of Hananiah, Mishaël, and
 Azariah, your God will come and save you from my hands
 as he saved Hananiah, Mishaël, and Azariah from the
 hands of Nebuchadnezzar.' They replied: 'Hananiah,
 Mishaël, and Azariah were righteous and pious men and
 Nebuchadnezzar a noble monarch who was worthy that
 a miracle should be wrought through him, whilst thou art
 a wicked king and not fit that a miracle be performed
 through thee. We deserve death, and if thou wilt not
 slay us, God hath many other agencies through which to
 kill us, many bears . . . but if thou killest us the Lord will
 demand our blood of thy hand.' The story is told that he
 had hardly moved from the spot when a rescript²⁸⁷ came
 from Rome and they killed him.

This story occurs also in the Talmud Babli, and Pesikta
 Zuṭarta to P. Emor (p. 62). In these parallels, however,
 the death of Lulianus and Pappus is recorded as having
 actually taken place prior to the arrival of the Roman
 rescript.^{287a} It is generally assumed that the Scholiast
 refers to Trajan who died in the year 117 C.E. and that
 this represents the proper historical interpretation of this
 holiday.²⁸⁸

The version of the Scholiast cannot be applied to
 Trajan²⁸⁹ for the latter, as is well known, died a natural
 death. Nor can the 12th of Adar in any event signalize
 the death of Trajan, for the event took place in the month

²⁸⁷ Or διπλῆ = δίπλωμα.

^{287a} See also Semahot, 8.

²⁸⁸ Graetz, IV, p. 411.

²⁸⁹ See Dalman, *Aramäische Dialektproben*, p. 34; also Schürer, p. 668.

of August, after Trajan's return from the Parthian War.²⁹⁰

The suggestion which has been made that it was the death of Trajan's general Quietus, which was celebrated on the 12th of Adar,²⁹¹ and that the name of Quietus was confused with that of his Emperor, is unacceptable. For while this confusion in names is possibly conceivable in the Scholium or in the Talmud where the motive was to explain a text which was no longer intelligible to them, there is no justification for assuming such a confusion in the text proper. The Scholiast puts in the mouths of Lulianus and Pappus the expression *אתה מלך רשע* 'Thou art a wicked king'. Quietus, of course, was not a king. Quietus was too well-known a name to be lightly confused with Trajan. Cp. *פולמוס של קיטוס*. Finally, it is known that Quietus was killed late in the summer or early in the autumn of 118 C. E.²⁹²

P. Cassel²⁹³ thinks that *יום טירון* should be read *יום סירון*, and would see therein a reminder of Judas Maccabees' victory over Seron the Syrian commander. Were this so, however, then 2 Macc., one of whose objects is to indicate holidays that originated in the Hasmonean struggle against the Seleucids, would not have failed to record the day

²⁹⁰ Comp. Dio 68, 33. 3; *Chron. Pasch.*, p. 253; see Schiller, *Geschichte der römischen Kaiserzeit*, I, 2, p. 502, and Clinton, *Fasti Romani*, I, p. 102.

²⁹¹ Graetz, IV, pp. 411-16. See also Volkmar, *Handbuch der Einleitung in die Apokryphen*, I, pp. 90-100.

²⁹² Hadrian, on hearing that Publilius Celsus and Aoidius Nigrinus and others had formed a conspiracy to kill him, marched from Pannonia to Rome, and this was about the beginning of August 118 C. E. (Dürr, *Reisen des Kaisers Hadrian*, p. 21). At that time Lucius Quietus also was killed—this was in the beginning of autumn 118 according to Dio Cassius (Schiller, *Geschichte der römischen Kaiserzeit*, I, 2, pp. 615-16).

²⁹³ P. Cassel, *Anmerkungen zu Megillath Taanit*, pp. 84-6.

commemorating the defeat of Seron.²⁹⁴ We must therefore seek for something more plausible.

This memorial day appears to have originated in the war against Rome. טירון in Aramaic means military recruit, as in Syriac ܬܝܪܢ, in Greek *τίρων*.²⁹⁵ When the government was organized and they prepared for war against the Romans, many of the Jewish youth quite naturally volunteered for military service,²⁹⁶—the drilling of these young men Josephus mentions in these words: *πρὸς ἀτάκτοις δὲ γυμνασίαις τὸ τῶν νέων πλῆθος ἦν* (*Bell. Iud.* II, 22. 1). This holiday of יום טירון was instituted, then, either in honour of the soldiers, somewhat as they had annual military festivities among the Romans,²⁹⁷ or, perhaps, in honour of those warriors who followed Josephus to Galilee; in the latter case it would furnish a near date for Josephus's setting out for northern Palestine.²⁹⁸

²⁹⁴ See also Ratner in ספר היובל of Sokolow, p. 500.

²⁹⁵ See *Thesaurus Syriacus*, p. 1517; Krauss, *Griechische und lateinische Lehnwörter im Talmud, Midrasch und Targum*, II, p. 265. טירון in the sense of a new and inexperienced man is found in the Midrash: בשעה: משה בנבואה על משה טירון היה משה הקבה" (Exod. I. 1) 'When the Holy One revealed Himself to Moses, the latter was new in prophecy.'

²⁹⁶ See also Graetz, III, 2, p. 470.

²⁹⁷ J. Marquardt and T. Mommsen, *Römische Staatsverwaltung*, V.

²⁹⁸ What I have said about this holiday originating in the great war against Rome is only a suggestion. It is indeed possible that the reading in the Babylonian Talmud is more correct, יום טוריינוס, and that טוריינוס, meaning 'king', is a transliteration of *τυραννίς* = *τυραννία*. In that case the holiday dates from the Roman period, from the reign of Herod the Great, the day on which he became *de facto* sovereign, and in an anniversary of which the Temple was dedicated by him. Josephus (*Antiq.* XV, 11. 6) states that the Temple was consecrated on the anniversary of the day on which Herod received the kingdom, and so the holiday became great: συνεκπεπτάκει γὰρ τῇ προθεσμίᾳ τοῦ περὶ τὸν ναὺν ἔργου καὶ τὴν ἡμέραν τῷ βασιλεῖ τῆς ἀρχῆς, ἣν ἐξ ἔθους ἑώρταζον ἐς ταῦτὸν ἐλθεῖν, καὶ περισημοτάτην ἐξ ἀμφοῖν τὴν ἑορτὴν γενέσθαι (*Ant.* XV, 11. 6). As we have said above, he

XXX. On the 17th of Adar, the Gentiles arose against the refugees of Sepphoris in the province of Chalcis and in Beth Zabdai, but there came salvation (to the Jews).

All the critics who have commented on this Megillah have accepted the view of the Scholiast which is contained in the following: ²⁹⁹ כשירד ינאי המלך להרוג את החכמים ברחו מלפניו (קלי קום M. O.) ונכנסו והלכו להם לסוריא ושרו במדינת קוסליקום (קלי קום M. O.) והאויבים עליהם שבאותו מקום וצרו עליהם להרגם והויעו בהם זיע גדול והכו בהם מכה רבה והשאירו בהם פליטה והלכו לבית זבדי וישבו שם עד שחשכה וברחו משם רבי יהודה אומר סום קשור היה להם בפתח וכל מי שהוא רואה אותו (את הסום) במדומה שאין שם יהודי וישבו עד חשכה וברחו משם ובא ואתו היום שברחו משם עשאוהו יום טוב.

When Alexander Jannaeus descended to kill the Sages, they fled from him, turned to Syria and dwelt in the province of Chalcis. Their enemies in that part of the country attacked them murderously, caused much depredation among them and smote them grievously, and there was left of them a remnant. These went to Beth Zabdai and tarried there until dark, and then they fled.' R. Judah says: 'They had a horse tied at the front of their house and whosoever saw it inferred that there was no Jew within. (Obviously reference is had here to the sabbath when a Jew would have no occasion for a horse.) Thus they remained there until dark and then fled thence. That day on which they made their escape was declared a holiday.'

It has been suggested ³⁰⁰ that this incident is alluded to captured Jerusalem in the month of January (10th of Tebeth), which makes it quite possible that he assumed the functions of royalty on the 12th of Adar, and made that day a holiday. Some years later, to insure its being kept, he held the dedication exercises of the Temple on that day. The name טוריינוס was given to this holiday, as the Jews were not fond of the name Herod. In *Ṣedah la-Derek*, by Menahem ben Zerah, this day of memorial is not found.

²⁹⁹ See Graetz, III, 2, n. 1, pp. 570-71.

³⁰⁰ See Graetz, *ibid.*

by Josephus (*Ant.*, XIII, 14. 2) when he narrates that eight thousand men of war fled from Judea in one night, by reason of their fear of Alexander Jannaeus, and remained in exile until he died. This view is not acceptable, for the Megillah itself specifies that the persecution was inaugurated by עַמִּיּוֹת (Gentiles) and no mention is made of a Jewish king. It is clear that the Scholiast was misled by the word סַפְרִיָּא which currently means the Scribes (i.e. Sages) and hence the writer associated the persecution of the סַפְרִיָּא with the persecution of the Sages by Alexander Jannaeus. I venture to suggest that סַפְרִיָּא in this instance is the name of the well-known city Sepphoris and פְּלִיטָא סַפְרִיָּא indicates the refugees of Sepphoris. The name occurs in the Talmud as סַפְרִיָּא,³⁰¹ in Syriac ܣܦܪܝܐ, and in Aramaic סַפְרִיָּא.³⁰²

כַּפֵּר סַפְרִיָּא in the Jerushalmi (Kiddushin 67 d) is taken by many geographers to be the city of Sepphoris.³⁰³ As for its being situated in the province of Chalcis,³⁰⁴ this is what the Romans knew as Chalcis ad Libanum, and from 44 C. E. Jewish princes reigned there. Claudius gave it as a present to Herod, brother of Agrippa I, whence he derived the name Herod of Chalcis.³⁰⁵ He was succeeded by Agrippa II.³⁰⁶ Bet Zabdanai was situated in the Lebanon

³⁰¹ Jerus and Terumah 48 b *passim*. ³⁰² *Thesaurus Syriacus*, p. 3436.

³⁰³ Neubauer, *La Géographie du Talmud*, p. 195; Baedeker, *Palestine and Syria*, 1894, p. 241.

³⁰⁴ Sepphoris, it is true, was in the province of Galilee, but owing to the fact that Agrippa the Second, who was king of a part of Galilee, which he received from Nero (*Antiq.* XX, 8. 4), was at the same time king of Chalcis, which he had from Claudius after the death of Herod, king of Chalcis (*Bell. Iud.*, II, 12. 1), the Megillah speaks of Sepphoris as a city in the kingdom of Chalcis.

³⁰⁵ *Antiq.* XIX, 8. 1; XX, 1. 3.

³⁰⁶ *Antiq.* XX, 8. 1; *Bell. Iud.* II, 12. 8.

on the road to Damascus north-east of the province of Chalcis.³⁰⁷

We are now in a position to identify this holiday: It clearly belongs to the period of the Great Revolt. In consequence of the Jewish victory over Cestius, the Gentiles throughout Syria, to prove their devotion to Rome, rose against the Jews (*Bell. Iud.*, II, XX, 2; *Vita*, 6). In all the cities of Galilee the Jews suffered greatly and especially in Sepphoris where most of the citizens belonged to the peace party, and where those who believed in war against Rome were killed or reduced to slavery. A change took place when Josephus came to Galilee; the Jews of Syria and Sepphoris escaped to the cities which Josephus controlled. Quite in harmony with this interpretation is the expression *ויהי ברקן* which intimates safety rather than victory. This is quite in line with what Josephus himself says:

"Ωρμησέ γε μὴν Ἰώσηπος ἐπὶ τὴν πόλιν (Sepphoris) αἰρήσειν ἐλπίσας ἦν αὐτὸς πρὶν ἀποστῆναι Γαλιλαίων ἐτείχισεν ὡς καὶ Ῥωμαίοις δυσάλωτον εἶναι. διὸ καὶ τῆς ἐλπίδος ἀφήμαρτεν τοῦ τε βιάζεσθαι καὶ τοῦ μεταπεῖθιν Σεπφωρίτας ἀσθενέστερος εὐρεθεῖς. παρώξυνεν δὲ μᾶλλον τὸν πόλεμον ἐπὶ τὴν χώραν, καὶ οὔτε νύκτωρ οὔτε μεθ' ἡμέραν ὀργῇ τῆς ἐπιβουλῆς οἱ Ῥωμαῖοι διέλιπον δηοῦντες αὐτῶν τὰ πεδία καὶ διαρπάζοντες τὰ ἐπὶ τῆς χώρας κτήματα. καὶ κτείνοντες μὲν αἰεὶ τὸ μάχιμον, ἀνδραποδιζόμενοι δὲ τοὺς ἀσθενεῖς. πυρὶ δὲ ἡ Γαλιλαία καὶ αἵματι πεπλήρωτο πᾶσα, πάθους τε οὐδενὸς ἢ συμφορᾶς ἀπείρατος ἦν· μία γὰρ καταφυγὴ διωκομένοις αἱ ὑπὸ τοῦ Ἰωσήπου τειχισθεῖσαι πόλεις ἦσαν (*Bell. Iud.* III, 4. 1).

³⁰⁷ *Bell. Iud.* VII, 7. 1; see Schürer, I, Beilage I, pp. 722-5, and Marquardt and Mommsen, *Römische Staatsverwaltung*, IV, pp. 400-1; Neubauer, p. 295; Baedeker, p. 337.

The date of the 17th of Adar furthermore agrees with the period of Josephus's arrival in Galilee, which took place in the spring of 66 C. E. This was the last memorial day associated with the Judean war against the Romans. For this Josephus was the man to whom the eyes of all Israel turned with the hope that he would prove a great source of strength to the Jews in his conduct of the war in Galilee, but Galilee was lost to the Jews, and as a result the Sanhedrin lost prestige and power, and the Zealots, split into parties, were the source of destructive anarchy, and the outcome, a few years later, was loss of national independence.

CHAPTER XII

MISCELLANEOUS.

XXXI. On the 15th of Ab is the season of the wood of the priests (i. e. that the priests brought).

In the Mishnah (Taanit 26 a) we learn of nine periods during the year when the people and the priests brought wood for the altar of the Temples. In the Jerushalim (Megillah 70 c) 'any and every man who takes upon himself to bring wood for the altar is forbidden to mourn, to fast or to do any work on that day, which is to him a Yom Tob.' According to this version, therefore, the bringing of wood for the altar is made a general rule, and applies to any of these nine appointed times. It is therefore necessary to understand why the Megillah lays particular stress on the 15th of Ab—making it a general holiday. This is possibly to be explained by the supposition that the other dates were assigned to well-defined classes or shifts, who were to furnish fuel on dates especially assigned to them, but the 15th of Ab was the time when all those who had not joined the group to which they belonged, or who had neglected to bring their wood-offering to the altar, would atone for their remissness.³⁰⁸ In time it came to be recognized by all Jews as a great holiday, so that the Mishnah states in the name of Rabbi Simon ben Gamaliel that 'Israel enjoyed no holiday greater than the

³⁰⁸ Taanit, IV, 26 a.

15th of Ab and the Day of Atonement'.³⁰⁹ The answers given in the Talmud as to why the fifteenth of Ab became so distinguished a Yom Tob are of late origin, and possess no historical value.³¹⁰

XXXII, XXXIII, XXXIV. The 8th and the 9th of Adar were days of solemn prayer for rain.

The Scholiast explains that these two days commemorate two distinct events of like character which occurred in different years. For to say that these two days commemorate one and the same event would be equivalent to stating that after praying and sounding the Shofar on the eighth day they confirmed or renewed these exercises on the following day. This would be making a fast of two days, which is not allowed. In the Scholiast's words, *אם התריעו בשמיני למה התריעו בחשעי אלא שמיני משנה אחת ותשיעי משנה אחרת*. This is indeed logical. The expression in the Megillah, *יום תרועת מטרא* (and not *ימי*), proves, too, that these two days belonged originally to different years.

The Megillah makes mention of another memorable day whereon they prayed for rain—the 20th of Adar. This is explained by the Scholiast as follows: there had been a famine and drought in Palestine for three years. As no rain appeared even in the third year the people begged Honi ha-m'aggel to intercede, and furthermore his prayer was answered by the downpour of rain. Cp. Taanit 23 a, *שפעם אחת יצא רוב אדר ולא ירדו גשמים שלחו לחוני המעגל*. Similarly, Josephus (*Antiq.* XIV, 2. 1), states that once there was a famine in Judea, and Onias prayed to God and rain came.³¹¹

³⁰⁹ Taanit, IV, 26 b: *לא היו ימים טובים לישראל בחמישה עשר באב* וכיום הכפורים.

³¹⁰ See Taanit 30 b.

³¹¹ Graetz, *ibid.* (See further Derenbourg, *ibid.*, pp. 112-13, and P. Cassel, *ibid.*, pp. 111-19.)

XXXV. On the 14th and 15th are the days of Purim.

In regard to these holidays there is extant the scroll of Esther. There (9. 17-19) we are told that the Jews of Susa kept the 15th day of Adar as a holiday, whereas the Jews in unfortified cities kept the 14th. In 2 Maccabees there is undoubted reference to the feast of Purim in the statement that the day of Nicanor is on the 13th of Adar, 'one day before the day of Mordecai' (*πρὸ μιᾶς ἡμέρας τῆς Μαρδοχαϊκῆς ἡμέρας*).³¹²

³¹² 1 Maccabees, when it speaks of the holiday, 13th of Adar, commemorating the victory of Nicanor, makes no allusion to Purim. This fact caused many hypotheses. Some think that 1 Maccabees was written in Palestine, and that in Palestine the festival was not thus observed, being introduced later from the Diaspora.

However, as I demonstrated above, Nicanor was killed in the 1st Adar in the year 152 A.S. (161 B.C.E.)—this year being leap year, and this explains why the day of Purim is not mentioned, as it was celebrated in Adar 2. In 2 Maccabees, where the material is drawn from the books of Jason of Cyrene, written in the Diaspora, the statement 'before the day of Mordecai' may be due to unconsciousness of the fact that Nicanor was killed in the 1st Adar. Confusion could have arisen from the fact that in short years these festivals fall on consecutive days.

THE PHILOSOPHY OF DON HASDAI CRESCAS

BY MEYER WAXMAN, New York.

CHAPTER VI

TELEOLOGY AND ETHICS.

THERE are four possible ends which may be the goal of human life, (*a*) either the practical-ethical, that is, the perfection of morals, (*b*) or contemplation, or happiness, which may be (*c*) material, or (*d*) spiritual. The object is, then, to determine which of these is the final end, for while all may be mediate ends, there must be a final one which is the highest of all. Crescas proceeds then to eliminate some. Material happiness cannot be thought of as a final end in view of the fact that we posited as a possible end also spiritual happiness. A final end must *eo ipso* be the highest; but material happiness, no matter how great, is only temporal, while spiritual, meaning the happiness of the soul, may be eternal. It follows that the balance is on the side of soul happiness. As for the perfection of morals, though it is undoubtedly a great end, it cannot be viewed as a final end. It is the means to purify the soul and overcome the passions that prevent the soul from reaching the desired perfection. It also helps to bring out the latent qualities and develop the powers of the soul, and as such it is a subsidiary one. It is rather curious to hear such an opinion from Crescas, who showed himself several times endowed with a true ethical spirit,

and giving an autonomous basis to good deeds, to speak of morality as preparatory to development of contemplative power, the very idea which he immediately combats.²³⁵ It may be explained that even Crescas had to pay his toll to the spirit of the age.

Crescas devotes some attention to the discussion of the perfection of thought and contemplation as a final end. Some (most likely he refers to Gersonides), he says, have developed such a theory. It is known that the mind becomes assimilated with the conceptions it perceives. In other words, the substance of the mind increases by means of the conceptions, and so we have finally an acquired mind (שבלהנקה) which is to a certain degree different from the potential mind, or, as Aristotle called it, the passive mind.²³⁶ Since this acquired mind is different from the potential in so far as the last is only potency, Gersonides as well as Crescas in exposition calls that *hiiliani*, after analogy of *ύλη*, matter, potential. It is eternal in spite of being generated, for it has no cause of destruction since it does not contain anything material. Eternal happiness will therefore consist in contemplation and reason, for it is this only that gives immortality.²³⁷ The higher the conception, the greater the degree of

²³⁵ ואולם ילמות המדות אין בהם היות כבה עצמית בזמן הנפש ואורה והסר ממנה תלאתה והתקדשת מטומאות מתאיות הקנאה והנצות שהם סבות הקרובות (מקרבות והכנה לפתח perhaps לבבוי אורה אשר כל זה בה הצעה המושכלות בה *Or Adonai*, p. 52 a-b.

²³⁶ This idea of an acquired 'nous' was already taught by Alexander, from whom the mediaeval philosophers borrowed it. See Zeller, *Greek Philosophy*, p. 296; also *Milhamot* by Gersonides, sect. I, chs. I, 2.

²³⁷ לזה תהיה ההצלחה הנצחית במושכלות הנקנות וכל עוד שנישג מושגים רבים תהיה ההצלחה יותר גדולה וכל שכן כאשר יהיו המושגים יותר יקרים בעצמם *Or Adonai*, p. 52 b; also *Milhamot*, sect. I, chs. 7-14.

eternity and that of happiness. Even during life we experience pleasure from thinking, and so much more after death, when, freed from hindrances, the acquired reason unites with the active reason (*ποιητικὸς νοῦς*) and the range of conception is increased, and in the same degree also that of the intellectual pleasure. In that theory there are to be distinguished two tendencies, a more rationalistic and a religious. The first says that happiness increases with the number of ideas, of whatever character these ideas may be, whether of the physical or the spiritual world, for the active reason contains in itself the order of all existing things, and so the larger the scope of ideas the nearer the approach to the active reason on the part of the acquired. The second emphasizes the necessity of acquiring true ideas of God and the spiritual world.

Against this theory Crescas directs his criticism. If, as the intellectualistic theory asserts, the acquired reason is a separate thing, and remains eternal while the body as well as the soul, that is the perceptive one, perishes, it is impossible that this perfection should be the end of life. Otherwise, we should have the anomalous phenomenon of a being striving for an end which is really not its own perfection, but of another being which is quite distinguished from itself. It does not agree with reason nor with Divine justice that the reward and punishment should be meted out to a being which really has very little to do with the one who followed the precepts or transgressed them.²³⁸ Besides, the theory *per se* is full of contradictions, since the acquired reason is something different from the hiulian, that is the ordinary perceptive, mind, then it has no subject

²³⁸ *Or Adonai*, p. 53 a.

out of which it is generated; it follows, then, that it is generated out of nothing, which is contradictory to all principles. Again, there is a contradiction in terms in the dictum that reason acquires its essence through the conceptions. Which reason is meant here? Shall we say the *hiilian*? But its essence is not acquired, it is given; and the essence acquired through conceptions is something different. It must then be the acquired reason; but it is impossible to speak of it as reason since it does not exist as yet.²³⁹ It is evident from the foregoing that the intellectualistic theory is untenable. It remains for us to find a *tertium quid* which shall serve as the final end leading to spiritual happiness and eternity. This Crescas finds in the love of God.²⁴⁰ It is not an intellectual concept by all means, and widely different from the Peripatetic notion as well as the Spinozistic, though the intellect may be a useful ingredient in it. It is best understood and conceived after the consideration of three propositions. First, that the human soul which is the form of the body is a spiritual being and potential in regard to conception. The second, that the perfect being loves the good and perfection, and that desire for it as well as its intensity is proportional to the degree of perfection the said being possesses. Third, that love and intensity of desire for a thing are not related to the intellectual vigour employed in conceiving that thing.²⁴¹ The establishment of these three propositions is very interesting, for the first proposi-

²³⁹ ומהם שהמאמר הזה סותר נפשו כי כשהונה יהשכל מתעצם מושיגו הנה אין הכוונה בו השכל ההיולני, וזה שהשכל שהתעצם כבר הונה נבדל מה מההיולני ואם נכון בו אל השכל הנקנה הנה אמרנו שהוא מתעצם ברמש מושיגו כבר נבית הן נמצא קודם היותו, *Or Adonai*, p. 53 a.

²⁴⁰ *Ibid.*, p. 53 b.

²⁴¹ *Ibid.*, 54 a.

tion contains in a short form the psychology of Crescas, while the other two relate to the foundation of his ethical theory. The soul is the form of the body, for we see that on its departure the body becomes corrupted just as do things without form. Again, it is spiritual, for it possesses powers which are not dependent on the senses, such as imagination, memory, and reason. It is potential of conception or reasoning, for it is evident that it is the subject of the reasoning power, since that one is related to the body by means of the soul. Crescas then endeavours to prove his statement that the soul is the subject of the potentiality. But as it is objected that since the soul is a form it cannot be a subject, for forms are not subjects for other forms, we must therefore suppose that this is done through the medium of the body.²⁴² This theory is primarily Aristotelean in its main concepts, except that it differs in the concept of immortality.

The second proposition treating of perfection and the love of good is evidenced from the following: God, who is the source and fountain of all perfection, loves the good, for this can be seen through his causing general existence of beings and the continual creation—here we see already the origin of the dictum, 'reality is good', which will play an important part later—and since the causality is all through His will, it is necessitated that the love of the good is an essential conception of His perfection. It follows, then, that the higher the perfection the stronger the love and the intensity of the desire to do good, for God possesses the highest perfection and at the same time the strongest will to do good as evidenced from creation.²⁴³ The third

²⁴² It is all Aristotelean.

²⁴³ ואם הב' תתאמת בן לפי שהוא ידוע שהשם יתברך מקור ומבוע

one, asserting that intensity of desire is independent of reasoning, is proved by definition of the terms. Will is a relation between the appetitive and the imaginative powers, and according to the degree of relation will be the intensity of the desire. Reason, on the other hand, depends on concepts and principles, both of which reside in the reasoning faculty, and that faculty is different from the imaginative and appetitive. It is evident that intensity of desire is independent of reason. After establishing these three propositions, Crescas formulates his theory of immortality and purpose, which follow as a result of the premises. Since it has been proved in the first proposition that the soul is a spiritual being, it may be immortal after its departure from the body, for it has no factors of corruption. The second proposition showed us that the love of the good is proportional to the degree of the perfection of the soul; the converse follows that the higher the good loved, the higher the perfection. It is evident, therefore, that the love of God, who is infinitely good, is necessary for the perfection of the soul. As for the independence of this love of contemplation and intellectual exercise, it was established by the third proposition.²⁴ It is seen, then, that the essential thing for the perfection of the soul is something independent of contemplation, and that is the love of God. Since we have seen that there is nothing lasting about man except his soul, and

מהשלמות כלם והוא יתברך לשלמותו אינר הוא עצמותו אוהב הטוב למה שנראה מפעולותיו בהמצאת המציאות בכלל והתמדתו וחדושות מיד וזה אמנם ברצונו הפשוט היה בהכרח אוהבת הטוב משיג עצמו לשלמותו
Or Adonai, p. 54 b.

ולפי שהתבאר בנ' שהאהבה והערבות בה זולת ההשכלה הנה העצמי⁴⁴
 לשלמות הנפש הוא דבר זולת ההשכלה והוא האהבה
Ibid., p. 55 a.

that the perfection of the soul consists in the love of God and the intensity of that love, it follows that this is the end and purpose of human life.

In positing the love of God as an end of human life Crescas laid the foundation of a high ethical system, for the love of God is urged not on religious mystical ground, as the Neo-Platonists used to speak of a longing of the soul to return to its source, but mainly because the love of God is really the love of good. The centre of ethical virtue is transferred from the mind to the heart, from the cold logical syllogisms to the warm feeling of man. It is not the contemplative side that is emphasized, as has been done continually from Aristotle down, but the practical side. This part, however, would not speak so much for Crescas's originality, for it simply keeps in line with the pure Jewish ethics, but what is interesting in Crescas is that he raises the ethical principle to a cosmic one, since he sees in it the basis of creation, as follows.

There are two final ends; though this statement seems contradictory at first, yet it can be made consistent. The word 'final' must be viewed under two different aspects, in respect to human life and action, and in respect to God.²⁴⁵ As for the first, we have already seen what that end is. As regards the Divine purpose, it must be the distribution of good. The final end spoken of does not refer only to the human genus, but to the universe as a whole. There is a manifest purpose in it, in spite of the prevailing necessity of natural law, and the purpose

²⁴⁵ אלא שמציאות ב' התכליות מחויבים כמו שקדם אבל בבחינות²⁴⁵ מתחלפות כי הנה בבחינת המצווה התכלית האחרון הוא האהבה ובבחינת המצווה התכלית האחרון הוא הקנאת הטוב, *Or Adonai*, p. 56b.

is really one in genus in regard to man and the universe.²⁴⁶

But in order to conceive this 'purpose' clearly, a little more discussion as regards the becoming of the world is necessary. It is accepted that the universe in its manifoldness presents a certain unity and an interdependence of its parts. This unity would lead us to accept the unity of purpose, but here a problem presents itself to us. It is known that from the simple arises the simple, and since God is the absolute simplest being, whence then the multitude of composite beings? The various answers proposed to that problem are insufficient. The theory of emanations, which sees in existence a gradual descending scale from pure spirituality to materiality, is inadequate, for the problem is still there. Whence the matter? Another explanation, saying that the caused beings by being caused, that is, by being possible of existence, acquire compositeness, and the lower the being in the scale of emanations the greater the compositeness, for the cause of it is also possible, since it is the third or fourth emanation, is also weak. A thing may be composite in regard to its existence, but simple in regard to essence. Crescas offers, therefore, his solution. It is true that if the process of causation were a mechanical one there would be no place for composition, but the fact is that it is a voluntary one. It is the will of God that is the cause of all beings, and it is through it that they arise. But here the question arises, How can a simple being have more than one will? for in the positing of the manifold, we shall have to see

²⁴⁶ ואומר כי למה שהתבאר במה שהמציאות טוב והיה התכלית בואת . . . הנה הוא מבואר שהתכלית לכל הנמצאים התורה הקנאת הטוב . . . ושאר התורה אחד בסוג הוא הטוב *Or Adonai*, p. 59 b.

a manifold expression of the will. To this Crescas replies that the unity of the will consists in goodness. The will to do good and distributing it is the predominant feature²¹⁷ (the real question of will as creative cause will be discussed later in chapter VII, it is only brought in here casually). It is already manifest that the purpose in the universe is one. It is creative, not as an end to be realized, but as a cause. The conception of it, according to Crescas, is best put in syllogistic form. The will of God is the will to do good. Existence or reality is goodness. Hence the existing universe carries its own purpose within it.

In comparing the Spinozistic conception of the love of God (of = for) with that of Crescas, we cannot help noticing the striking similarity in form, yet there is a vast difference as to contents. There is much discussion on the subject, by those who assert that Spinoza in this important teaching of his was greatly influenced by Maimonides and Crescas, his predecessors, and those who deny such influence. Of the first, the most vigorous is Joel, who ventured to go as far as to assert that Spinoza's expression, 'The intellectual love of God', is borrowed from two sources, the 'love' from Crescas, and 'intellectual' from Maimonides.²¹⁸ That Joel went too far in his assertion, and that his conclusions are unjustifiable, is evident from a strict comparison. However, a thorough investigation of the theory and that of Maimonides would be beyond the limits of our work; we shall, therefore, limit ourselves to Crescas.

²¹⁷ וזה שאם היות השכל יחייב היות לאחד הפשט רצון אחד פשוט — גם כן הנה יתאמת אחדות הרצון הזה בהטבה—ולזהיות כל מציאות טוב—
היה להטבת האל יתברך, *Or Adonai*, p. 60 a.

²¹⁸ Joel, *Spinoza's Theologisch-Politischer Tractat*, Vorwort, X.

The conception of the love of God in Spinoza forms an integral part of his system, as any of his fundamental ideas. It is strictly connected with his conception of freedom, as well as with his psychology. The freedom of Spinoza, as seen,²⁴⁹ is freedom from emotions, and doing such things as follow from the very essence of man and tend to self-preservation. This freedom can be obtained by inculcating in the mind a kind of controlling idea or power. But in proportion as a mental image is referred to more objects, so it is more frequent or more often vivid, and occupies the mind more.²⁵⁰ It follows, then, that the idea of God, which really means the comprehension of the exact order of the universe, and through which man conceives himself clearly and distinctly,²⁵¹ is such an idea which may control the mind,²⁵² and therefore occupy the chief place in it. This endeavour to reach the heights of understanding is termed love, for love is by definition²⁵³ pleasure accompanied with the idea of an external cause. In this conception of God we have pleasure, for pleasure is defined as a transition from lesser to greater perfection, and in conceiving the idea of God we are acquiring greater perfection, that is, more of reality and truth. Again, we conceive the causality in its fullest aspect. It is also the highest virtue of the mind, for virtue in the Spinozistic conception is power or man's essence.²⁵⁴ This love arises only through the third kind of knowledge, or intuition,²⁵⁵ namely, the possession of an adequate idea of the absolute essence of God which is eternal, for God is eternal, hence

²⁴⁹ Cp. above, chapter VI.

²⁵⁰ *Ethics*, V, proposition XI.

²⁵¹ *Ibid.*, proposition XV.

²⁵² *Ibid.*, proposition XVI.

²⁵³ Definition of Emotions, 6, II.

²⁵⁴ *Ethics*, III, def. VIII, 4, p. 28.

²⁵⁵ Scholium to proposition XLI, Book II, p. 32.

also the knowledge of Him; it follows also that the love which arises through it is eternal. It is the quality of eternity which Spinoza connects with the love of God, that supplies a basis to the doctrine of immortality. There is something eternal in the human mind, for in God there is something that expresses the essence of the body and the mind, that essence must therefore be eternal.²⁵⁶ The eternity increases the more the mind conceives things under the form of eternity,²⁵⁷ and this is accomplished by the knowledge of God. It follows therefore that the mind which possesses the love of God is blessed, for it attains to acquiescence of mind,²⁵⁸ and perfect, since it is more of reality that it conceives, and eternal.²⁵⁹ Such is Spinoza's conception of the love of God.

From the foregoing it is evident that there is very little in common between the Crescasian and the Spinozistic love of God as far as the contents are concerned, and that Joel can hardly be justified in saying that Spinoza borrowed a part of it from Crescas. The first is voluntaristic, emotional, and special emphasis is laid upon the degree and intensity of the love. The second is intellectualistic and causal. Yet, as we remarked on previous occasions, in spite of their divergence there are some points of contact. Both systems have perfection for their basis. Crescas as well as Spinoza asserts that the love of God is intimately connected with perfection, and the more perfect a man is the higher the love of God; and, moreover, perfection in both systems has a background of reality. Again, according to both of them, the love of God is a means to obtain immortality, the first reaching it by a religious

²⁵⁶ V, p. 23.²⁵⁷ V, p. 39.²⁵⁸ p. 28.²⁵⁹ p. 39.

ethical yearning, the second by a kind of thought absorption.

Looking upon those two kinds of the love of God from an ethical point of view, namely, valuing them as ethical factors in human life, the preference ought to be given to that of Crescas. His love of God is a glowing emotional force. It is a strong desire to do good for the sake of God, for this is the way to perfection, while that of Spinoza, though serene and sublime, yet breathes cold ; there is the fate of necessity hanging over it, and while it may endow a man with a brave stoicism and a kind of asceticism, yet it can hardly arouse emotions of altruism and self-sacrifice, for it is more of a negative than positive character.

That there is no purpose in nature follows from the whole system of Spinoza. He who sees everything *sub specie necessitatis* and eternal law, must perforce be a stringent antagonist of teleology. Spinoza accordingly expresses himself in his scholium to the First Book of *Ethics* deploringly of those who posit final causes in the world, or that God works for a certain end. Such a conception, according to him, is a lowering of the notion of God, and he says that it arose merely through human imagination. He is, therefore, at the first glance, wholly contradictory to Crescas, for the latter speaks of a purpose on the part of God in creating the world, yet, as has been already pointed out, the purpose of Crescas is merely an ethical one, and is not an end but a cause of beginning. As such all Spinozistic arguments against teleology fall short of it. Crescas, strengthened by the theory of purpose, makes his ethical view, the will to do good, a cosmic principle. The 'purpose' of Crescas, if examined thoroughly, amounts almost to the necessity of Spinoza, but this will be brought out in the next chapter.

CHAPTER VII

DIVINE WILL AND CREATION.

CRESCAS, in basing his theory of creation, begins with a long polemical essay against those who maintain the eternity of the world, as well as against Maimonides and Gersonides, examining the physical arguments of the former, and proving the insufficiency of the defence of creation by the latter. We thought it necessary to omit all these arguments, as most of them are based on a false and antique view of nature. We shall limit ourselves to Crescas's own view, and select those points which have philosophical value.

In introducing his view, Crescas produces a general argument against those who posited the co-eternity of matter—the Peripatetics—Gentile as well as Jewish, Gersonides representing the latter. If, he says, as we have proved, God is to be conceived as the only being who is necessary of existence, it follows that all other beings, whether spiritual or material, are possible of existence and related to God as a fact to cause in some way. We cannot speak, therefore, of matter as co-existing, but as sub-existing. It is brought about by God, and it does not matter whether that bringing about is by necessity or free will. Crescas here makes a peculiar use of the term creation. He does not endeavour to prove the novelty as against the eternity of the world in the Maimonidian sense, but *creatio ex nihilo* to him means that everything was caused by God, and

outside Him nothing exists.²⁶⁰ There is, however, a great difference whether we assume the world eternal or novel, for in the first case we assume the potency of God infinite, in the other finite. Moreover, since God's potency is also eternal, it follows that existence is produced by God always and necessarily.²⁶¹

However, existence may be caused by God in a two-fold way, either through emanation, where the effect flows from the cause in a natural way, or through will. Crescas assumes that although the existence of the universe may be necessary, yet it is not through emanation but through will. Since we conceive God as a thinking being, it follows that together with the bringing about of existing things there ought to be a conception or presentation of that existence. Again, a thinking principle wills what it desires, we therefore conceive creation as through will. Moreover, the theory of emanation will always have to grapple with the problem of the manifold and the one. Since we have established that God is the sole principle of existence, the question of the existence of the composite is a menacing one. We must therefore have recourse to the theory of the will. Existence as a whole is good, and from this side as far as it is good it is simple. It is true that viewing it from a different angle it is manifold, but the goodness and perfection of existence consist in the manifold being one. It is evident, therefore, that since reality is good and one, God in so far as He is good must necessarily create, hence the necessity of existence through will.²⁶²

אבל הכונה באמרנו יש מאין הוא שנתהווה אחר ההעדר ושלא היה ²⁶⁰
 לו נושא נמצא קודם, *Or Adonai*, p. 69 a.

²⁶¹ *Ibid.*

²⁶² Further והיה הטוב במה שהוא טוב אחר פשוט . . . ועוד שמה מבואר

It must be admitted that Crescas has not made philosophically clear how matter was created, and in what relation it stands to God. While he combats vigorously the co-existence of matter and makes it dependent upon God, he does not point out in what way it was brought about. To all difficulties arising from the manifold and one, or the generation of matter from form, he answers that the fact that creation was through will meets the difficulty.²⁶³ But how and in what way the will expressed itself so as to produce a world of matter is not explained. To one form of the problem which expresses itself in the objection that since like produces like, how then could God who is form produce matter which is unlike, he answers that since existence arose through the goodness of God the rule holds true: God is good, reality is good, so the like produced a like result. This, however, does not answer the question, for the difficulty how matter arose still remains. He seems to fall back evidently on the religious conception that God as omnipotent can do everything.

A stronger relapse from his strictly logical principles into the upholding of a religious doctrine, which is absolutely contradictory to Crescas's whole trend of thought, is noticed in his asserting the novelty of the world. According to his remarks, in refuting some arguments, it follows, since God stands in no relation to time, and all times are the same to Him; and the more, since the world is dependent on His will and that will is eternal, that the creation is eternal. Yet he seems to be frightened at his own conclusions, and

בעצמו ישלמת הטוב כשיפעל הטוב כשיפעלחו ברצון הוא יותר גדול
לאין שעור משיפעלחו בזולת רצון קוא הנהו מבואר שמהנחתנו חיוב
המציאות ממני יתחייב שיהיה על צד הרצון

²⁶³ *Or Adonai*, p. 70 a.

turns around and says: 'After all, the real truth is as it is handed over in tradition, that the world was created at a certain time.' He hesitates, however, at accepting it at its surface value, and attempts to say that it is possible that there are series of worlds continually being created and destroyed, and that the novelty expressed in tradition refers only to the present world. At any rate, he does not consider it a dogma of faith. Crescas here, like all such theological thinkers, pays the price of stopping short of his own logical conclusions by being inconsistent.²⁶⁴

In comparing Spinoza's view of creation with that of Crescas, we see, as usual, points of likeness and disagreement. Spinoza defines creation as an operation in which there are no other causes but the efficient one, or that created things are such to whose existence nothing is presupposed but God.²⁶⁵ What Spinoza intends by this definition is to exclude not only a material cause but also a final, as he himself explains in the same chapter.²⁶⁶ It is exactly in the same spirit that Crescas conceives creation, as has been shown. Crescas's whole tractate, though named 'Concerning the Novelty of the World', tries only to prove that the world was created *ex nihilo*, and, as has been shown, in the sense that nothing exists outside God and that matter is not co-existing. Spinoza says that he omitted the words *ex nihilo* because those who use it construe it as if the *nihil* is a subject out of which things were created.²⁶⁷ In the same strain writes

²⁶⁴ *Ibid.*

²⁶⁵ 'Creationem esse operationem in qua nullae causae praeter efficientem concurrant, sive res creata est illa quae ad existendum nihil praeter Deum praesupponit, dicimus igitur' *Cogitata Metaph.*, Pars II, X.

²⁶⁶ *Ibid.*, p. 495.

²⁶⁷ *Ibid.*, p. 494 'Quin illi τὸ nihil non ut negationem omnes realitates consideraverunt, sed aliquid reale esse finxerunt aut imaginale fuerunt'.

Crescas, that his *ex nihilo* does not mean that *nihil* is a subject, but simply that there was no other outside subject co-existing with God. The fact that Crescas sees an end in the creation of the world, while Spinoza's definition aims to exclude it, does not destroy the similarity, for the end that Spinoza combats is an external one, but that of Crescas is in the essence of God, as has been shown, and differs but little from Spinoza's necessity according to his nature.

Spinoza, like Crescas, comes to the conclusion that the basis for an eternal world is the conception of the infinite potency of God.²⁶⁸ Spinoza, in his first attempts, was not so eager to establish the eternity of the world as much as the continuity of creation, for since the will of God is eternal, creation is eternal.²⁶⁹ The same thought is found in Crescas, as was shown above. Again, a similarity is also found in the conception of the will and intelligence of God as a creative power. It has been already remarked above²⁷⁰ that such a similarity exists, yet to reiterate in passing, Spinoza as well as Crescas sees in creation a kind of reasonable act. In his scholium to proposition XXXII in the First Book of *Ethics*, Spinoza definitely says that God necessarily understands what He wishes, and so things could not be different from what they are, for then God's understanding ought to be different.

As for the divergences, very little ought to be said, for they are patent. Spinoza's term of creation conveys an entirely different meaning from that of Crescas. It is only a convenient word, but in reality it carries with it a necessity, such a necessity as Crescas sought to escape, namely, an

²⁶⁸ 'Nos illam durationem non ex sola contemplatione creaturarum rerum sed ex contemplatione infinitae Dei potentiae ad creandum intellegere.'

²⁶⁹ *Epist. LVIII.*

²⁷⁰ Chapter IV.

immanent one. God acts according to His nature, but whatever that nature is, there is only one thing clear that there is no room in it for voluntary actions in the usual sense. It is just this element that Crescas introduces by his voluntary creations. It is true that Crescas proves the necessity of creation by asserting that God is essentially good, and that he does not conceive of the will of God in the way that we speak of that of man's, but there is the personal element attached to it, from which Spinoza tries to escape. The fact is that the immutability of things, which forms a very important part in Spinoza's system, for it is intimately connected with his principle that things flow from God in the same way as the equality of the three angles of the triangle to two right angles, was wholly missed by Crescas. He, like Spinoza, speaks of continual creation but with an entirely different meaning, for he makes use of it to prove the possibility of miracles. Up to a certain point these two thinkers go together, but later they part company.

It is difficult to describe definitely the extent of influence an earlier thinker may exert upon a latter, especially when the latter does not name the first, but comparing the ideas expressed in *Cogitata Metaphysica*, chapter X, 'De Creatione', and those of Crescas, we find them decidedly similar, and it is a possibility that the latter took his cue from the former.

THE RESPONSA OF THE BABYLONIAN GEONIM AS A SOURCE OF JEWISH HISTORY*

BY JACOB MANN, London.

III. THE ECONOMIC CONDITIONS OF THE JEWS.

THE Geonim did not intend to give a full account of the occupations of the Jews of their time. Yet from occasional questions addressed to them concerning religious problems, e.g. the Sabbath, and concerning the Jewish civil law it is possible to form a good idea of the activities of the Jews both in agriculture and in commerce. This material has been entirely overlooked till now, so that our knowledge of the economic position of the Jews in the Orient and in Spain under Arab rule was declared to be very scanty (see Caro, *Social- und Wirtschaftsgeschichte der Juden im Mittelalter*, Leipzig, 1908. p. 469; notes to pp. 124-7).²²² The only reference to Jews themselves cultivating their fields Caro could find was in 'Anan's arrangement of the Karaite calendar (*ibid.*, p. 469). In four pages (124-7) Caro disposes of the economic position of the Jews of that period. Heyd, *Geschichte des Levantehandels*, I, 138-42, characterizes the Jews in the early Middle Ages as 'fast *ausschliesslich* den Handelsgeschäften lebend'.

But the Gaonic Responsa establish the fact beyond the shadow of a doubt that to a very large extent the occupa-

* See vols. VII, 457-90, VIII, 339-66, IX, 139-79, X, 121-51.

²²² About the occupations of the Jews in the Byzantine Empire, see now Krauss, *Studien zur Byzant.-Jüd. Geschichte*, Vienna, 1914, 70-76.

tion of the Jews of that period consisted of agriculture. A great number of Jews possessed fields, gardens, and, especially in Spain and southern France, vineyards which they frequently cultivated themselves or by means of tenants (אריסים) as was especially the case in Babylon. It is only towards the end of the Gaonic period, when persecutions became frequent in France and Germany, that the Jews were gradually compelled to gain a livelihood entirely by commerce and money-lending. On the other hand, from the Responsa we learn of the considerable trade, both inland and maritime, carried on by Jews particularly in the North African ports. The part that the Jews of that period played in the Levantine trade must have been considerable, as the evidence of the Responsa proves. Heyd, *ibid.*, not taking this material into consideration, regards the participation of the Jews in the Levantine trade as problematic.

(a) *Agriculture.*

1. In the second half of the eighth century the Geonim of the two Academies of Sura and Pumbedita in conjunction with the Exilarch abrogated a Talmudic law and instituted that debts from orphans should be exacted also from movable property, whereas before that time only landed property could be claimed by the creditors of the deceased parent of the orphans.²²³ The reason for this institution is clearly given in a responsum of the Gaon R. Moses (832 C. E.) who held office forty-five years after

²²³ Sherira (*Letter*, p. 36, ll. 9-10) states: וקם בתריה מר רב הונא בר מר הלוי בר מר יצחק בשנת צ"ו וביומיה תקינו למינבני בע"ה וכתובה מן יתמי ממטלטלי (cp. p. 37, ll. 10-11). The institution was made in 1098 Sel. = 787, c. E., according to Isaac Albarceloni, שיערי שבועות, end.

its introduction, and must have known well the motives and the conditions that occasioned this institution. The Gaon states that the scholars instituted the exacting of a woman's dowry, as well as other debts from movable property belonging to orphans, because in the districts around the academies most people had no fields, whereas in other places where the majority of people have fields, this institution applies only partially.²²⁴ We thus see that a change in the economic conditions of the Jews in 'Irāk necessitated an institution which must have been the result of a long development. Perhaps the building of Bagdad in 762, which soon became a large commercial centre and attracted many Jews (cp. above, VII, 465 ff.), contributed to a considerable extent to the necessity of this institution. But to conclude from this that under the Caliphs the Jews over the whole Moslem Empire abandoned agriculture and devoted themselves to commerce, as Graetz (V⁴, 196), does, is entirely erroneous as the responsum of the Gaon R. Moses, cited above, clearly shows. It is true that the decree of this institution, signed with the seals of the Exilarch and the two academies, was sent to all Jewish communities in the diaspora for practical application, as the author of the 'Ittur (ed. Venet. 20 a, 77 b) states. But this does not imply that all over the diaspora the

... תקינו רבנן למגבי כתובת אשה ובע"ח אפי' ממטלטלי ח"ג, No. 65: ²²⁴ מיום דהבא רובא דעלמא לית להון מקרקעי... ואסמכינון על כמה טעמי דלא אפשר לפרשינון אבל בשאר מקומות דרובא דאינשי אית להון מקרקעי אי לא מפרשין מטלטלי בחיי ובמותי לא גביין כתובת אשה ובע"ח אלא... ממקרקעי. This responsum was probably sent to some North-African community, since the group of responsa consisting of Nos. 62-7 seems to have been sent to one and the same community (notice the beginnings תוב שאלתון), and in No. 63 the correspondents write: מכרבין מוקפין בנלותנו במדינת הים.

same conditions existed. Certainly if a Talmudic law was changed by the Geonim, its acceptance by all the Jews had to be enjoined in order not to create divisions in Israel.

Anyhow, we see that in 'Irāk proper the Jews turned more to commerce than to agriculture. The latter was often found unprofitable since the country was frequently devastated by the wars between the opposing forces amongst the Arabic conquerors. In particular, during the whole reign of the Omeiyade dynasty till it was supplanted by the 'Abbasids (661-749), 'Irāk was the hotbed of opposition against the ruling dynasty. In addition the land-tax, *ḥarāj*, which 'Omar imposed at the conquest of Babylon, was fixed in accordance with the extent of the estate without any regard to its real produce. All this contributed to the pauperization of the peasant-class in 'Irāk. In the time of 'Abdulmalik (685-705), i. e. about fifty years after the conquest, the revenue of the 'Irāk fell from 100 to 40 million Dirhems per year. The whole canal-system of Mesopotamia, on which its agriculture so greatly depended, was much neglected during these fifty years. Some improvements were made by Ḥajjāj, the governor of 'Abdulmalik in 'Irāk, but special attention to the improvement of agriculture in 'Irāk was only paid after the accession of the 'Abbasids. The *ḥarāj*-system was also changed into a tax on the produce of the estates. But even this was very high, at first half the produce, later on two-fifths.²²⁵ We can now understand why most Jews in 'Irāk gave up agriculture and occupied themselves with commerce and trade as the above institution of the Geonim in the year 787 shows.

²²⁵ Cp. Aug. Müller, *ibid.*, I, pp. 272, 281 (bottom), and 282, 395, and 467; also Kremer, *ibid.*, I, 276 ff.

Yet there must have been a considerable number of Jews in 'Irāk who possessed landed property even after 787. We find the Gaon R. Ṣadoḳ (of Sura, 823) imposing oaths in connexion with claims put forward on estates and fields though the Talmudic law, as laid down in the Mishna (Shebuot 6¹), is that in such lawsuits no oaths are imposed.²²⁶ As the Geonim were very careful not to change a Talmudic law unless the requirements of the time were pressing, we may assume that lawsuits about estates and fields amongst Jews were frequent, and the Geonim found out that people took dishonest advantage of the fact that no oaths were imposed in such lawsuits, and therefore the Gaon R. Ṣadoḳ boldly put an end to this state of affairs (cp. also Weiss, דור דור ודורשיו, IV, 38-9). We see thus that fields in the possession of the Jews in Babylon must have been quite a common occurrence even in later times. In an appeal for the support of his academy made by a Gaon in 953 it is stated that the scholars of the academy were in need because they had lost their landed property.²²⁷ Very likely these scholars did not cultivate their fields themselves, but only through tenants who took a third or a fourth of the produce as it was the custom with Babylonian Jews centuries before in the Talmudic times (cp. Funk, *Die Juden in Babylon*, I, 15). This is further corroborated by a question sent to R. Hai, the last of the Geonim (998-1038), which probably came from Babylon.²²⁸ The correspondents state

²²⁶ . . . וקבלוה חכמי ישיבה ממנו (ג"ק, No. 43) (cp. ח"ג, No. 22).
 ונהנו בה בשתי ישיבות לדלויי נזרחא על מקרקעי במטלטלי דלא
 ר' צדוק. (sc. שבועה דאורייתא).

²²⁷ Cp. the letter cited above, VII, 486: וגם הקרקעות שהיו לנו חרבו ונאבדו באותן הימים הרעות שעברו עלינו אפסו כספינו וקרקעותינו (ibid., p. 402, fol. 42).

²²⁸ אנו יש לנו ננות ופרדסין ובהם II, 57, No. 3: תש"ר = ג"ל, No. 65.

that the people in their community have gardens as well as other estates which some may irrigate whenever they like, while other people may do that only on Sabbaths according to an ancient usage. These owners of the fields have non-Jewish tenants who receive a fifth of the produce and do all the required work, while the owners take no part in the cultivation of their estates. This probably refers to the system of irrigation by means of canals as it was practised in Babylon where the fields adjacent the canals would be irrigated in turns according to a fixed order.

On the other hand, there are several responsa that refer to Jews cultivating their fields and especially their vineyards. The responsa unfortunately do not tell us to which country they were addressed. In the case of responsa that deal with the cultivation of vineyards we may assume that most likely they were sent to Jews in Spain and southern France. They cannot refer to Babylon because wine-growing was rare in that country. But some of the other responsa that deal with the cultivation of fields probably refer to Babylonian conditions. So many responsa deal with cases of landed property that the conclusion forces itself upon one that landed property in the possession of Jews was the most usual thing.²²⁹ A poor Jew

שדה לבן ויטדה אילן ומהן שיכולין בעליהן להשקותן כל זמן שירצו ומהם אין להם חוק להשקותן אלא ביום השבת חק ולא יעבור מימי הקדמונים ויט לנו אריסין גוים שלוקחין חומש מן הפירות והן מושקין ועושין כל מה שרוצים והיהודי בעליהם לא ידע עמם מאומה. Cp. also *Geon.*, II, 263, l. 22 ff.

²²⁹ The following is a list of responsa referring to landed property, excluding those discussed in this chapter :

R. Natronai : ש"צ, 46 a, Nos. 9 and 10.

R. Sheshna : ש"צ, 46 b, No. 14.

as soon as he acquired some money, had it invested in fields (ח"ג, No. 138, by R. Hai). These were given as dowry to daughters (ש"צ, 62 a, No. 35, by Saadya ; 67 a, No. 55, by R. 'Amram ; הש"ר, II, 28, No. 5 = גמ"מ, No. 138 ; גמ"מ, No. 87) and were inherited from generation to generation. A newly married couple would invest their dowry in fields (גמ"מ, No. 91). A responsum by R. Natronai tells us of the majority of a whole community gaining a livelihood only from their vineyards which they cultivated themselves.²³⁰ Many Jews were occupied in gathering the grapes and treading them in the wine-presses, since according to the Talmudic law this could not be done by non-Jews.²³¹

2. Some of the responsa referred to above might have been sent to the communities in North Africa. But even those responsa, expressly stated as having been sent to these Jewish communities, testify that Jews generally owned fields and orchards, and probably the small holders themselves cultivated their fields. Thus we find landed property in the possession of Jews of Tlemsen (גמ"מ, No. 133 and ג"ה, Nos. 38-9, by Sherira or by Hai), of K̄abes (ג"ה, Nos. 318, 322, 324, and 342-3), of Nefusa, (ש"צ, 56 a, Nos. 16 and 17, cp. above, VII, 484), and chiefly of K̄airowan. An interesting responsum describes the devices Jewish money-

R. Naḥshon : הש"ר, II, 30, No. 8 ; ג"ק, No. 7 (probably) ; ש"צ, 53 a, No. 53 (cp. Müller, *Einleit.*, 14, note).

R. Sam. b. Ḥofni : ש"צ, 45 b, No. 7 ; 48 a, No. 24.

R. Hai : ח"ג, No. 135.

Anonymous : ש"צ, 39 a, No. 14 ; 39 b, No. 15 ; 46 a, No. 21.

²³⁰ שרובן של אנשי המקום אין להם כמון אחר אלא גמ"מ, No. 86 ;

אותן ברמים.

²³¹ ג"ל, No. 6, by R. Paltai (842-58) ; ש"ת, No. 211 = ה"פ, No. 156, by Sar Shalom, cp. further, *Geon.*, II, 153 (תקע"ד).

lenders used to employ in order to evade the law of usury when they advanced money on fields in mortgage.²³² Yet in Ḳairowan people frequently required money for investing in commerce which flourished there. Ḳairowan was an important station on the caravan-route from Spain to Egypt and farther, and close by there were important ports for the maritime trade with the above two countries. Thus it resulted that already in the period of the earlier Geonim a considerable number of Jews there possessed no fields. When a power of attorney (שטר הרשאה), which according to Talmudic law required the possession of at least four cubits of ground, was drawn up, recourse had to be taken to a device to rely on the four cubits of ground which every Jew was supposed to possess in Palestine as a national heritage though at present occupied by usurpers.²³³ That such a device had to be found shows clearly that a considerable number of Jews in Ḳairowan possessed no landed property but occupied themselves solely with commerce and trade.

3. Above (p. 314) it was pointed out that the responsa of the Babylonian Geonim that deal with the cultivation

²³² *ז"צ*, 36 a, No. 12 (probably by Hai, cp. *Einleit.*, 14, note) : *היה מנהג : באלקירואן שהיו אנשים מלוים מעות על הקרקעות והיו שוכרין הקרקע בפחות ממה שהיא שוה והוזהרו על זה ממתבתא הקדושה וגאמר להם שהוא אבק רבית וחזרו למכור הקרקע במעות . . .*

²³³ *ג"ה*, Nos. 199-200, by R. Hai. The correspondents from Ḳairowan state : *וכמה מבעלי המתנות והיו רשעים שאין להם קרקע והיה דעתן סמוכין מאותן הימים הראשונים ועד עתה על ארבע אמות קרקע שלכל אחד ואחד בארץ ישראל כמו שמצאו בתשובות הגאונים הראשונים ששאלו . . .* *אבותיהם מן מר הילאי גאון נ"ע . . .* According to this statement this legal device goes back to the time of R. Hilai (either the Gaon of Sura in 792-801 or his namesake in 825-9). Cp. also Pardes, *ליקוטים* 24 a, and Harkavy, *ג"ה*, p. 359, note to p. 90.

of vineyards were most likely sent to communities in Spain or southern France. In addition there is a collection of responsa by Spanish and French scholars, contemporaries of Sherira and Hai, which throw much light on the question we are dealing with here. We find again landed property the most common possession in the hands of Jews. It appears that Jews as owners of fields, and particularly of vineyards, were more frequent in Spain and in France than in North Africa or Babylon. Vineyards as a part of a woman's dowry were the usual thing. So we find R. Meshullam in a responsum which was probably sent to southern France dealing with the case of a man who married three wives in succession and each had vineyards for her dowry (ג"ק, No. 132).²³⁴ It seems as if the only possession of the middle-class people amongst the Jews were these vineyards. A Jew having to pay an imposition of the governor, sells his vineyard (גמ"מ, No. 201, anonymous). Likewise in another case a woman in trying to obtain money in order to pay a debt to a non-Jew, pledges her vineyard (*ibid.*, No. 204, by R. Hanok). In many cases the Jews themselves probably cultivated their estates, especially as the last stages of gathering the grapes and producing the wine had to be done by Jews only.²³⁵ A responsum states that the majority of the Jews of a com-

²³⁴ As regards Spain, cp. גמ"מ, Nos. 175-6, 202, 203, and 206 (all by R. Hanok of Cordova).

²³⁵ Cp. גמ"מ, No. 202, by R. Enoch: כשגדלו הבנים סייעו את אביהן ונדרו את השדה שהוציאה לאה ונטעו אותה נטע יפה מן אילנות ונפנים עד שהיה כרם משובח. For further responsa referring to fields and vineyards, see by R. Meshullam: ג"ק, No. 139; גמ"מ, Nos. 173, 188 (cp. above, p. 314), 189 (probably, cp. Müller, note 1); ש"צ, 40 b, No. 23; by Spanish scholars: גמ"מ, Nos. 196 (cp. Müller, note 1), 197, 200, and 210 (by R. Moses b. Hanok), 207, 208-9 and 211 (by R. Hanok).

munity possessed oxen, horses and asses, animals required for the cultivation of fields and vineyards.²³⁶ This must have been the case in other communities as well.

We see thus that till the beginning of the eleventh century both in Spain and in France the Jews occupied themselves much with agriculture, and particularly with the cultivation of vineyards (see also Müller, *Die Responsen der spanischen Lehrer des 10. Jahrhunderts*, pp. 6-7). Only when the persecutions became more and more frequent in Germany (cp. Gr., V⁴, 384-7) and in France, and frequent expulsions of Jews from certain towns and districts took place, did the Jew find it safer to invest his money in commerce or in money-lending in order to be able to convert his belongings into cash the more easily in time of need. This development of the economic conditions of the Jews in France is best illustrated by the change that took place in the method of taxation in use amongst the Jewish communities. The earlier custom was to distribute the tax evenly—for which the whole community was responsible to the government—on the Jewish owners of fields in the adjacent villages and on the business men, as we learn from the evidence of two responsa.²³⁷ But in the

²³⁶ ג"ק, No. 92 (cp. *Einleit.*, 25, note to No. 93): ושטאלת ישראל שיש לו שורים וסוסים וחמורים ואינו יכול לרעותן בעיר . . . אבל לתורות לרבים ולאסור להן כיון שנחנו בדבר היתר ואין יכולין רוב העבור לנהוג . . . (Cp. ש"ח, No. 214 (see Müller, *Einleit.*, 21, note) and No. 221).

²³⁷ . . . כיון שקבלו: גמ"מ, No. 165 (probably to a French community): עליהם בני הקהל כולה ונכללו בעלי הכפרים להכליל הפריעה שעל הכפרים כולם ולהטיל על כל כפר וכפר לפי מדת קרקעותיו וכן להשתוות בהשחדה . . . ימשחידין לסלק האונם מעליהם.

. . . ובלבד: גמ"מ, No. 205 (seemingly by R. Nathan the Babylonian of Narbonne, a contemporary of R. Moses b. Hanok, see Müller, note 1):

middle of the eleventh century the tax on fields was no longer continued and the traders, who must have formed the majority in the communities, were asked by the communal leaders to contribute the whole amount. R. Joseph Bonfils, a well-known French scholar, in a responsum to the Jews of Troyes in justifying this change explains that the possession of fields in his time by Jews was entirely unprofitable, because they used to let them to tenants who took half the produce, and there were other expenses that caused the profit accruing from the cultivation of fields to dwindle. Whereas money invested in commerce brought great profits and could easily be withdrawn, a quality very essential to the Jews in their peculiar position of uncertainty and threatening persecutions.²³⁸ This important responsum helps us to understand the gradual change in the economic position of the Jews so that they became exclusively a commercial people estranged from the soil.

שיעטו מנהג המקום כמו שנהגו אבותיכם קודם היום להטיל על מי שיש לו מאה דינר בקרקע או מי שיש לו מאה זהובים בסחורה אל ישנו ממנהג הראשונים . . .

²³⁸ This responsum is quoted by R. Meir of Rothenburg (תשובות מהר"ם), ed. Prague, No. 941 = מרדכי to Baba batra, ch. 1, § 481: ואני ראיתי: תשובת רבינו יוסף טוב עלם שכתב לבני טרויש שבקשו להטיל מס על הברמים של לאה שוה בשוה כמו על שאר חובות ומעות ופרקמטיא והשיב שאין בכל הסחורות היטבר מצוי כמו ברבית וכן פרקמטיא היא נוחה ומצלחת וכספו או תמורתו ביד אפשר בלא הפסד דווי דאינשי עבדי ליה סרסירא לאפוקי ארעא דבעיא סרים דישקל מחצה. [ו]עלה כמה הרפתקי כמו רוב חמה או רוב צנה או מיעוט גשמים, ארבה או חסיל ואי אפשר להחביא ולעשות לו [שמור] כשאר עמלו . . . לכן אין להכביר עליהם כשאר פרקמטיא דאם כן הקרן כלה . . .

(b) *Commerce and Trade.*

With the wonderful expansion of the Muslim Empire large possibilities were opened up for the commerce from the Orient to the Occident and vice versa. Caravans could traverse the great distance from India to Spain passing through the provinces of one and the same empire. Likewise the greatest part of the coastline of the Mediterranean was in the possession of the Arabs, and thus a large maritime trade could spring up (see especially Kremer, *Culturgeschichte des Orients*, II, 273 ff.: Handel u. Gewerbe). It was strictly prohibited to impose customs on goods transported from one province of the state to another (Kremer, *ibid.*, I, 457). Only later on in the period of the decline of the Califate, when the empire was split up into several semi-dependent states, was this freedom of trade greatly restricted (Kremer, *ibid.*, II, 494). That the Jews availed themselves of these opportunities is only natural; especially those Jews that lived in large commercial centres like Bagdad and Basra, Fustât, Kairawan, and Tlemsen, and the Spanish towns situated along the eastern coast of Spain.

Above (VII, 465 ff.) we have seen how in Bagdad there grew up a large Jewish community owing to the considerable trade that flourished there. In Babylon the Jews possessed mills, inns, public baths and, particularly, olive presses.²³⁹ Often they let these to non-Jews who could carry on business even on Sabbaths. The same applies also to the

²³⁹ Cp. ג"ל, No. 64 (by R. Hai): ומעשים בכל יום נעשין בבבל שיט; בתי ברים לישראל ומשכירין אותן לגויים ולא מיהו בירם חכמים; ח"ג, No. 10 (either by R. Paltoi or by R. Natronai); גמו"מ, No. 15 (anonymous). See also גמו"מ, No. 164.

Jews outside Babylon who owned in addition public ovens (פורני, cp. ג"ק, Nos. 62 and 123, by R. Meshullam; גמ"מ, No. 110 by R. 'Amram). There were certain trades like the preparation of wine, butter, and cheese, and parchment, which on religious grounds Jews had to conduct by themselves; thus we find the Geonim having a good knowledge of how parchment was made.²⁴⁰ Several responsa show that Jews frequently travelled on the large navigable rivers like the Tigris, Euphrates, and Nile, and traversed the Mediterranean in pursuit of a livelihood. The Geonim were consulted as to the observance of the Sabbath on board ship.²⁴¹ Similar questions were asked how the Sabbath should be kept while travelling in caravans (ה"פ, No. 155, by Sherira; גמ"מ, No. 27; ש"צ, 12 a, No. 11, see Müller, *Einleit.*, 14, note). In one responsum Sherira mentions that Jews from the west (probably from Spain or Morocco) would come in caravans to Egypt traversing a great distance through desert land.²⁴² Jews used to travel far and wide in their business enterprises, which often kept them away from their homes for years (see ש"צ, 76 b, No. 26; ח"ג, No. 49; ג"ק, No. 17). This must have

²⁴⁰ See גמ"מ, No. 155; ח"ג, Nos. 113-17; ג"ק, Nos. 33 and 46; ג"ה, No. 5 (to Kairovan); ג"ק, No. 127, by R. Meshullam; ש"ת, No. 332.

²⁴¹ מהו לנהוג מנהג זה: (probably to Egypt by R. Hai); ג"ל, No. 61. בנהרות גדולות כגון דגלת ופרת ונילוס של מצרים . . . ובני מצרים (probably Fustât) ובפרה היו נוהגין איסור חמור בנילוס שלהם והיו ממחרין לצאת בערב שבת . . . אנו לא שמענו מאבותינו ולא מחכמי . . . שתי ישיבות מי שהחיד לישב בספינות בנהרות לא בחדקל ולא בפרת . . . See further: ג"ל, No. 45 (p. 17 b and 18 a by R. Jehudai, 760-64); ח"ג, No. 31 (by R. Šemah) and 43 (by R. Naḥshon).

²⁴² In ספר העתים, ed. Schorr, 76: איתשיל עלה רבנא שרירא גאון וצ"ל: 76. וזו הוא נוסחא . . . וכן מי שהלך בדרך כגון בני מערב שנוהגין לבוא [אל מצרים] בשיירות והדרך ארוכה היא למאד ורוב שבייתם במדבר . . .

happened very frequently so that the Bêt-Din had to take the matter in hand, since it entailed many hardships for women who were left without their husbands for years. R. Natronai (of Sura, 853-6) states that the Bêt-Din used to warn and to enjoin those that left their homes for business purposes not to stay away too long, especially when their wives objected to their husbands taking long and dangerous journeys.²⁴³

From the responsa we learn further of partnerships between Jews who lived in different countries, and that in many cases the goods had to be sent by ship from the place of one partner to that of the other (see ש"צ, 78 b, No. 8, by Saadya; 40 b, No. 24 = חש"ר, II, 34, No. 13, by Hai). One responsum speaks of partners that lived apart a distance of two months' journey (ג"ח, No. 42, by R. Naḥshon, 874-82). In particular there must have been a brisk interchange of goods between the North African ports and the Spanish coast towns (see גמ"מ No. 19 by R. Şemah; partners, one living in Kairouan and the other in Spain; ג"ה, No. 59, to Kābes; חש"ר, II, 31, No. 9 = ג"ה, No. 37, question came from Tlemsen). Probably R. Naḥshon's responsum in ח"נ, No. 49, refers also to Spain. It speaks of a Jew who came to Ifrikiya and entered there into partnership with another

²⁴³ ח"נ, No. 81: בני אדם שיצאו מאצל נשותיהן אם ברשות נשותיהן . . . אבל אם יצאו שלא ברשותן בי"ד אין בי"ד רשאים למחות בהן . . . רשאים למחות בהן ולמזור עליהן לחזור לבתיהן וכל שכן כדנפקין לסחירה דמתרינן בהו לחזור. See also ש"צ, 9 b, No. 2: a Jew, who was betrothed to a woman, left for abroad where he was held up and forced to sign a document of divorce. Probably this refers to the Bêt-Din there who forced him to divorce his betrothed because he left her. Cp. further, ג"ה, No. 163: מי שבקש לפרוש בים הגדול ואמרה לו אשתו איני מניחך עד שתכתוב לי גט לזמן קבוע שאם חס ושלום לא תבוא אותו הזמן . . . אתנרש.

Jew, and then he left for abroad (לעבר הים), where he traded with the goods from town to town. Another responsum (גמ"מ, No. 192) speaks of a Jew who left Spain for some Christian country for business purposes and stayed there for six years (cp. also גמ"מ, No. 224; ש"צ, 93 a, No. 1; ג"ק, No. 51). On these journeys Jews frequently encountered dangers on account of robbers and brigands, and had to give up all their money in order to save their lives.²⁴⁴ Various must have been the experiences of such Jewish travellers; frequently they were exposed to chicanery on the part of the various authorities of the many towns and municipalities through which they passed, and this constant struggling of the Jew with the circumstances around him made him versatile and able to help himself in every emergency. Responsa containing the legal decisions of the Geonim about monetary disputes amongst Jews are only a reflex of real life; the preponderant part of commercial dealings amongst people are settled without the necessity of bringing them before the courts. Yet even so, some responsa preserved read like fragments of the history of the time of their composition. In addition to the responsa discussed above (pp. 131-3) two interesting responsa will serve as examples of the vicissitudes Jewish

²⁴⁴ Cp. ג"ה, No. 426 from Tlemsen; *Geon.*, II, 150 (תק"ב); ג"ו, No. 7 and ג"מ, No. 94: these responsa deal with the dangers that were lurking on the road to Egypt; גמ"מ, No. 213: Jews while travelling were captured by Arabs who brought them to Spain, where they were redeemed by their co-religionists; ג"ק, No. 66 by R. Meshullam; ח"ג, No. 27 by R. Šemah; ג"ו, No. 41. Cp. further, Bodl. 2876³¹, containing an undated letter, in Arabic, from אלפון הלוי to יצחק בר אברהם. He went from אל־אנדלס (Andalusia) to Alexandria on business.—A Cambridge fragment (published by Dr. Hirschfeld, *JQR.*, XVI, 573 ff.) tells us of a family from Ḳabes whose members lived in Sicily, Marseilles, Ḳairovan, Tripoli, Alexandria, Fustât, and 'Akko.

merchants passed through on their journeys. One responsum in גמ"מ, No. 216, tells us how *B* used to travel to maritime countries and *A* would be his assistant in transporting the goods. Once they agreed to share the profits of a certain kind of goods, and they travelled together because they were acquainted with the authorities of the route they took. On the way, while staying in a certain town, *A* had a mishap and had to bribe an official. At the port of embarkation they had to leave their money, which was confiscated by the authorities. When they arrived at the port of destination, *B* had to go back for the money which he could obtain only after bribing the officials.²⁴⁵ The other responsum in ש"צ, 93 a, No. 1, tells us how *A*, after having concluded a partnership with *B*, left for a maritime country where he traded for several years with much success. Wanting to return home at last, he took a boat with other Jews, but this soon foundered in a storm, and the passengers had to escape half-naked to the shore of the sea, leaving all their fortune behind. There this Jew *A* carried on business (to his discredit even

²⁴⁵ The responsum, which is fragmentary and obscure, runs as follows :

שמעון יהיה רגיל לילך למדינת הים וראובן היה מתקן סחורתו לילך לאותו מקום וכאשר ידע דעת שמעון התנה עמו ליתן לו כל הריוח שיודמן לו המקום בקניית ל' דינר בפרקמטיא שלו כמין שקנאה עבור שילם ויבואו שניהם ירודין לפי שהיו מכירים שרי אותו דרך ויאותו זה עם זה ובהתחזקם בדרך נודמן לראובן סכנה בעיר אחת ובלא דעת שמעון נדר ה' דינר לשר אחד שילום באותה סכנה ובבואם לעיר אחת שהיתה על שפת הים הניחו שם ממונם והלכו למדינת הים ובהיותם שם נתעצו לילך עבור ממונם וראובן לא מלאהו לבו ללכת מפני הסכנה ואמר לשמעון לך ועשה מה שתוכל והלך שמעון ומצא הממון בעין יפה ומוכס אותה מדינה כל המכס שמניע לי על ממון נתון לך עבור דורנות וכבוד שעשית לי . . .

It seems that they had to pay customs for coins that were exported from the country to a foreign state.

with blackmail), was successful, then lost his money, and then was again successful. Such responsa give us an inkling of the extensive trade carried on by Jews in that period.

Of great furtherance for the expansion of the Jewish trade must have been the solidarity that existed among Jews all over the diaspora. Jewish business men could always find in the various communities of all the different countries friends among their brethren who could supply them with information about markets and other business concerns. Further, a Jew from whatever country when trading with his co-religionist would always find protection and redress at the hands of the Bêt-Din or of the communal leaders of the different communities he visited on his travels far and wide. The Talmudic law by which the Jews of the Gaonic period were guided in all their affairs knows no difference between Jews of different countries; every Israelite is entitled to the same right. In a responsum (גמ"כ, No. 195, end) the Rabbi indignantly writes: 'If a stranger comes to a town do we deprive him of his money? Far be it from that! Such a thing shall never be in Israel!' ²⁴⁶ In addition, the fact that generally, with small exceptions, the Jews of that period could write and thus transmit their thoughts in writing, must have contributed much to the development of the Jewish trade. The religious duty of teaching every Jew the Law was practised from times of yore, and this had the result that almost every Jew could read Hebrew script. Thus in a responsum (ג"ה, No. 231, p. 109) the Gaon states that 'as a rule a Jew knows the Hebrew script' (כל ישראל יודעין כתב עברי). From being אבסנאי שבה לעיר מקפחין אותו ואת ממונו? חלילה! לא תהיה ²⁴⁶ ולא תעשה כזאת בישראל!

able to read to the ability of writing down the same letters is only a small step, and probably the large majority of Jews could write in the Hebrew script. Thus whatever vernaculars the Jews of the different countries might have spoken, be it Arabic or French, they could express their thoughts in their own language by means of the Hebrew script. That the Jews wrote Arabic in Hebrew script is well known. This was the case with the Jews of Arabia even in pre-Muhammedan times (cp. Gr., V⁴, 77 f.). There exist also a large number of responsa, both by earlier as well as by later Geonim, written originally in Arabic in the Hebrew script (cp. e. g. ג"ה, pp. 305-18, 339-41). Accordingly business correspondence could be carried on quite easily, and the other activities pertaining to clerkship performed in a time when the preponderant majority of non-Jews were analphabets. Several responsa tell us of proper business accounts kept in writing and of correspondence going on between partners who lived apart in different places. This must have been quite the general custom amongst Jewish traders. A responsum (ש"ט, 74 b, No. 13, probably by Saadya) tells us of a Jew who died and his heirs produce ledgers and accounts and have them audited by reliable Jewish merchants. They ask now their opponent to produce counter-accounts 'in accordance with the usage of business men' (ולהוציא האמת לאמתו כמנהג הסוחרים) (בפני הנרים).²⁴⁷

²⁴⁷ See further, ג"ה, No. 59 = *Geon.*, II, 284 (written in 1015 to Kābes, cp. ג"ה, p. 32, note 1): two partners who lived in different countries would carry on their business by means of correspondence. . . . כיון שהיו ראובן. . . ושמעון נושאין ונותנין באיגרות שכותבין זה אל זה ומנהגם היה שכתבין ראובן אל שמעון לתת דבר יתן שמעון ככתבו. . . ; see especially the continuation of this responsum from a Bodl. MS. (in *JQR.*, VI, 24): . . . והרי ספר חשבונות של אבי מצוי ויש לו עליך הוצאה וחשבון. . . ;

All these factors enabled the Jew to travel far and wide in his business enterprises and to maintain commercial relations with the remotest countries. Thus we can understand how Jewish business men could travel from the country of the Franks to China as the well-informed Arabic geographer, Ibn-Kordadbeh, in the middle of the ninth century reports (see above, p. 146). Jewish merchants, Ibn-Kordadbeh writes, called Radanites,²⁴⁸ who speak Persian, Rumish (Byzantine Greek), Arabic, Spanish, and Sicilian (Italian) would travel from the land of the Franks by boat to Egypt, where they landed at Farama, loaded their goods on animals, and would travel for five days to Kulzum (Suez). Once arrived there, they took the boat again and travelled along the Red Sea, stopping at al-Jar, the port of Medina, and at Jidda, the port of Mecca, till they reached the Indian Ocean. Another route these merchants chose was to land at the estuary of the Orontes and travel via Antioch, Aleppo, to the Euphrates, and then downwards this stream to Bagdad, whence they would pass on through a canal to the Tigris, Persian Gulf, and the Indian Ocean. Their ultimate goal would be the estuaries of the Indus, and the coasts of India and China. On their return they used to take the same route. But some of these merchants would go to Constantinople to dispose of their goods while others went directly back to the land of the Franks. When they preferred a land-route to a trip over the Mediterranean, they would travel

ה"ג, Nos. 5 and 423; *Geon.*, II, 151, l. 2 ff.; *ibid.*, תק"ה, ג"ק, No. 146, by R. Meshullam; גמ"מ, No. 4 = ג"ל, No. 5; גמ"מ, No. 2; ג"מ, No. 32

²⁴⁸ Perhaps these Jews were from the district of the Rhône, so that their proper name would be 'Rhodanici' (see Eppenstein in Gr. V⁴, 556, note to p. 203).

in caravans along France, Spain, Gibraltar, the whole of North Africa, Syria, Babylon, the southern provinces of Persia, Farsistan, and Kerman, and thence to India and China.²⁴¹ Some merchants would take their way via Germany, the Slav countries to the town of the Chazars, Itil (above the estuary of the Volga), then traverse the Caspian Sea, reach Balk, Transoxania, and the countries of Tagazgaz. These Jewish merchants would bring from the Occident to the Orient cunuchs, slaves, both male and female, silk, swords, and furs. Whereas from the Orient they would return with musk, aloe, camphor, cinnamon, and the like products. This remarkable report of Ibn-Kordadbeh throws much light on the commercial activities of the West-European Jews of those times, and shows what spirit of enterprise they possessed to undertake such journeys from the Frankish Empire to China, journeys which must have taken them years to accomplish.

Many of the goods mentioned in this report in which the Jews traded are also mentioned in the Gaonic responsa. In France we find Jewish women making expensive gloves, embroidered with gold, and similar expensive garments. When these were sold the money was invested in expensive furs (ג"ק, No. 66, by R. Meshullam). Likewise Jews traded in silk wares (ג"ק, No. 150, cp. Rapoport, *Introd.* to ג"ק, 7 b). In the time of R. Meshullam money-lending began to be a favourite occupation of the Jews in France (cp. ג"ק, No. 141). In spite of all the prohibitions of the Church Councils we find a Jew in the service of the Bishop of Narbonne acting as his banker and the administrator of

²⁴¹ The responsum of Sherira quoted above in note 242 probably refers to these long caravan journeys.

his financial concerns.²⁵⁰ We learn further of a Jewish banker in the service of the Duke of Anjou. When the latter captured the Duke of Aquitania and received a large ransom for his release, he ordered his Jewish banker to carry out the required transaction of money-exchange.²⁵¹

In money-lending a special kind of business developed amongst the Jews in France and Spain, called מערפיא²⁵² (cp. ג"ק, No. 151 a, 49; גמ"מ, No. 174). Jewish bankers would each have a number of Gentile clients whom they advanced all the money they required. The Bêt-Din prohibited any Jew from taking away a client belonging to another

²⁵⁰ ג"ק, No. 140: . . . ראובן יתובע את שמעון מדבר ההגמוניא שבנרבונא אם נשתכר בעיסקי ההגמון בקניית צרכיו או אם נטל שום שכר מנוים מעסקים שלו או הלוה ממון ברבית ונהנה בו או חילוף כספו וזהבו ביוקר והעמידו בזול או אם חילף מאונו כסף וזהב בזול והעמידו ביוקר. . . . This defines the scope of the transactions carried out by this banker of the bishop. הגמון (originally ἡγεμῶν, leader) was the Hebrew expression in those times for a bishop.

. . . כשנתפס דוכוס של צרפת ביד שלטון עירנו: גמ"מ, No. 152: קבל השלטון ממנו רוב ממון בפדיונו וצוה לו (ל. י.) השלטון בשביל שהייתי טרוד באומנותו לקבל אותו ממון. . . . This event probably refers to the capture of either William VI, Duke of Aquitania, by Geoffrey of Anjou in 1037, or of his son, William VII, by the same in 1045, when Tours was taken (see Müller, note 4).

²⁵² מערפיא seems to me to be connected with the Syriac ܡܥܪܦܝܐ, a money-changer, cp. Pesh. Mark 11. 15: ܡܥܪܦܝܐ ܕܡܢܐ. See Rapoport, *Introd. to ג"ק*, 7 b, § 16, but מערפיא is never mentioned by Babylonian Geonim, only by Spanish and French scholars (see also Müller, XXXVII, תשובות נאוני צרפת ולותיר, pp. 2-3, תשובות ר' קלונימוס). רגמ"ה also uses this expression (see *REJ.*, LVII, 198). Rapoport connects this word with the Arabic عَرَفَ, to be acquainted with, or to define, but this gives no proper meaning.—The nature of מערפיא is explained in ואותן הלוואות שמלוים לעב"ומן ויש לו לישראל גוי: ב"מ, III, א"ז מערפיא שלו שרגיל חדיר ללוות ממנו אסור לו לישראל אחר להרגילו אצלו ולסלקו מישראל הרגיל אצלו יהרי יכול להלוות לגוי אחר דהרבה גוים לוין שביחי. . . . See also רבב"ן, No. 104.

Jew's firm. Sometimes this prohibition was strengthened by a ban (cp. גמ"מ, No. 174; ועוד שנתנו חרם בבית הקברות (?); שלא יכנוס איש במעריפה של אותן האהין, see Müller, note 6). Above (p. 317) we have seen that many Jews in France and Spain possessed vineyards. As a result many Jews were wine merchants. Already Agobard, the notorious Bishop of Lyons, attacked the Jews on the ground that they sold adulterated wine (about 829 C. E., cp. Gr., V⁴, 241). The responsa also refer to this wine-business in the hands of Jews (cp. גמ"מ, Nos. 155 and 205).

Coming back to the responsa of the Babylonian Geonim, we find references to several trades practised by Jews in Babylon and in the North-African communities. R. Natronai in a responsum (ה"נ, No. 82) makes mention of Jews who traded in expensive clothes and in bullion (בנדי צמר ארנבים) (או בנדים מעולים או זהב). In another responsum (גמ"מ, No. 149, by R. Paltoi) it is stated: 'Germans (?) usually come to us with goods mostly in the summer and rarely in the winter. Usually they would bargain over our cloths and depreciate their value. But when they hear of another caravan coming behind them, or if they have suddenly to depart, they would hurriedly sell and buy all the required goods.' Further, large business used to be carried on in silk-wares. Saadya in a responsum (ג"ה, No. 556) mentions two partners investing large sums of money in silk (תגרתא , דאברישום, cp. ג"ה, p. 277, note 2). One partner contributed about a thousand gold Dinars (a Dinar = about 30s.), a large sum in those days (see also גמ"מ, No. 135, from Tlemsen).²⁵³ From Kairowan a business transaction is

²⁵³ About the silk trade see also above, p. 328, and further, *Geon.*, II, 65: ראוּבֵן שִׁיגֵר עִם שְׁמִי מוֹשֵׁי מֵאִי סִיקְלִיָּה: (ק"ה) Brit. Mus. Add. 27,181 (cp. above, note 7), fol 16 a (No. 61): וְנִשְׁאֵל רַבִּי הָאֵלִי זָל עַל בְּנֵי אֶדְם:

reported of a Jew selling to another Jew a large quantity of pepper on board ship (קהלת שלמה, ed. Wertheimer, 71 a, 'א). We find further casual references to trading in wheat, animals, and property (ש"צ, 77 b and 78 a, Nos. 3-5, by R. Nahshon). Several responsa deal with cases of Jews buying bullion which they used to give to the mint to be coined. In those times no standard and uniform coinage existed. For example, the various provinces of the Muslim Empire had different standards. The Dinar of Yemen was much inferior in value to the Dinar of 'Irāk. This brought about exchange-business in the coins of the different countries.²⁵⁴ In an Arabic question to Sherira there is mentioned the case of a Jew who possessed a grindstone for grinding the dust of gold and silver (ג"ה, Nos. 370-1).

Many responsa referred to above show that very close business relations existed between Jews and non-Jews. Especially in such undertakings as mills, inns, public baths, and landed property which required to be carried on also on the Sabbath, Jews would enter into partnership with

שהיו רגילין לקנות תותים ועלי שאר אילנות לצורך מישי היש תקנה לדבר שלא יוכל המוכר למעון עליהם אין אדם מקנה דבר שלא בא לעולם וכו'.

²⁵⁴ Cp. ג"ה, Nos. 386 and 424 (written in Arabic, translated by Harkavy into Hebrew, ג"ה, p. 316 ff.); ש"צ, 34 a, No. 4, by Sar Shalom (cp. *Einleit.*, 14, note): *A* bought gold in bullion from *B*, the banker, on a month's credit; ש"צ, 34 a, No. 3 = ג"ה, No. 52: the Gaon Sar Shalom is against those who lend defective coins and ask in return coins of full weight, lend silver in bullion and ask back coined silver, because this is usury; ג"מ, No. 165: a Jew possessing silver in bullion and being afraid that the coinage at the mint would be delayed, asks another Jew who was held in great honour by the master of the mint to give the bullion to the mint in his name.—Mu'addasi (born at Jerusalem in 946, began his work in 985) writes: 'In the province of Syria also, for the most part, the assayers of coin, the dyers, bankers and tanners are Jews, while it is most usual for the physicians and the scribes to be Christians' (cited by Le Strange, *Palestine under the Moslems*, 22).

non-Jews who could thus conduct the business on the Jewish festivals (cp. גמ"ט, Nos. 53 and 55; הש"ר, II, 57, No. 5; *Geon.*, II, 186, 3; 194, l. 9 ff.; 195 top and bottom; 196, l. 11 ff.; ה"ה, No. 10). Other cases of Jews forwarding money to non-Jews for business purposes are mentioned in the responsa ג"ל, Nos. 67 and 68. All this will show that the prohibition of R. Sar Shalom (849-53) that no Jew should enter into partnership with a non-Jew (גמ"ט, No. 102, ואסור לישראל שיעשה שותפות עם הגוי) was never carried out in actual life. The responsa of the Spanish and French scholars referred to above (pp. 318-19, 328-9) prove that at the close of the Gaonic period the Jews in France occupied themselves more and more with money-lending to non-Jews on interest; no permission was any longer required for taking interest from a non-Jew. Characteristic is the question in ט"צ, 35 b, No. 7 (anonymous) from some correspondent, whether a Jew who takes interest from a non-Jew should be excommunicated. This shows that in the place of that correspondent money-lending was quite unusual, but from the responsum it is impossible to gather whence it was sent. From the responsa we learn further of various combinations of partnerships, especially in cases where one partner was the capitalist and the other the salesman. Saadya, in a responsum (ט"ז, 96 b, No. 12) mentions a typical example of such a partnership. Two Jews invested 5,000 Dinars, a large sum of money in those days, in a banking business and in the sale of property, the proportion of the money invested by the two partners being 6 to 4, but since the second partner was the active business man the profits were fixed in the proportion of 5 to 7.²⁵⁵ Reference is also made in a responsum to the

²⁵⁵ Cp. further ט"ז, 93 b, Nos. 2 and 5 (by Sherira); No. 3, by Natronai;

way poor Jewish pedlars used to carry on their barter trade in the small towns and villages (probably in North Africa). They used to obtain loans from well-to-do Jews which enabled them to buy cheap crockery, flax, wool, and spices. These they would barter for wheat, barley, wax, and other articles. When advancing the money, the creditors would fix with the pedlars the prices of wheat and the other articles which the latter would bring them later on in payment of their debts. At times it would happen that the prices of these articles would rise before the money was due, so that it amounted to usury on the part of the lenders.²⁵⁶

All these casual and scattered references in the Gaonic responsa to the occupations and the economic position of the Jews which were discussed in this chapter, are only the reflex of the actual conditions. Only when disputes arose were they brought to the notice of the Geonim, who were asked to give their legal decision in accordance with the Talmudic civil law. But even these casual references in the responsa allow us to form an idea of the extent and the way Jews took part both in agriculture and trade in the countries of their diaspora. In conclusion of this chapter, mention is made of the interesting responsum in Arabic

גמ"מ, No. 90, by Saadya; ג"ה, No. 235, from Kairowan; י"ג, No. 43; ש"צ, 98 b, No. 21, by Saadya, translated from the Arabic. See also ש"צ, 96 a, No. 11 by Saadya: two Jewish partners travel twice by ship with goods to בבל, which probably refers to Bagdad.

²⁵⁶ *Geon.*, II, 80-81: סוחרים מחזרין בעירות ובכפרים ומוכרין גרוטאות ופשתן וצמר ובשמים ומקבצין חטין ושעורים ושעור ושאר דברים ונוטלין ממוין מבע"ב על שעה ועל חטין ושעורים ופוסקין עמהם כך וכך קפיוסם בדינר ונוטלין ממוין וקונין מקח זה ומוכרין להן ומרויחין ג"מ, No. 120.

concerning money-orders from one country to another.²⁵⁷ The Gaon maintains that according to the principles of the Talmudic civil law no legal claim can be brought forward should money sent in this way be lost in transmission. However, the Bêt-Din began to deal with such claims because they saw that many people sent such money-orders, and the Bêt-Din did not want to place obstacles in the way of commercial relations between people.

כך ראינו : ג"ה No. 423 (Hebrew translation by Harkavy on p. 316) : שאין בשרשי הדינים שלנו [להתיר] לשלוח הספתנה . . . אבל בשביל שראינו שהבריות מושגות בה התחלנו לדון על פיה כדי שלא יתבטלו המסחרים בין האנשים וקבלנו לדון בה כמושפט התגרים . . .

IV. THE POWER OF THE BÊT-DIN AND THE ORGANIZATION OF THE COMMUNITIES.

1. IN the preceding chapters we have seen how the spiritual leaders of Jewry greatly opposed the practice of Jews submitting their disputes to the decision of non-Jewish courts. On the whole it may be assumed that the bulk of the people followed the injunction of their spiritual leaders, and preferred to settle their cases before Jewish judges; both on religious and political grounds, the procedure of the secular courts found no favour in the eyes of the Jews. We have also discussed the occupations of the Jews, and have seen to what extent the Jews of those times occupied themselves both with agriculture and commerce. Thus for the common welfare of the Jewish communities there was a real need of an efficient Bêt-Din. The Jewish judges usually worked hand in hand with the elders of the community (זקני העיר), who, as we have seen above, were responsible for the taxes. Whenever the Bêt-Din or the communal leaders found that their ruling was flouted or disobeyed by their co-religionists, they used to avail themselves of the power of coercion with which the secular authorities were invested. But the secular authorities could lend their assistance in monetary disputes only (see above, p. 142 ff.). In religious affairs, however, and on the whole the only coercive means at the disposal of the Bêt-Din was the ban. It is true that

flogging (מלקות) was the punishment inflicted by the Jewish courts for several transgressions. But if a Jew refused to undergo this punishment, he could only be coerced by means of excommunication (cp. also above, p. 129, note 192). It is no wonder therefore that the Geonim were anxious to make this only means of coercion as effective as possible. The welfare of the communities, both as regards morality and honest dealing, demanded that the ban should effectively take the place of imprisonment, and the other ways of coercion at the disposal of the non-Jewish courts. It must be admitted that the ban was a little too freely made use of, especially in the case of small transgressions in religious matters (to a great extent due to the opposition against the Karaites). Moreover, the Exilarchs frequently handled this social weapon for their own purposes, either to extort taxes or to impose their will on the Geonim (as the quarrel between David b. Zakkai and Saadya shows). Yet a strict enforcement of the ban was on the whole necessary when we review in general the great responsibilities that rested on the Bêt-Din to ensure the peace and the good name of the Jewish communities. We find that the spiritual head of the Christians in Babylon, the Catholicos, could enforce his will on his co-religionists only by means of excommunication from the Church, refusal of sacraments, and prohibition of intercourse with Christians, just in the same way as the Bêt-Din enforced its ruling. The legal decisions of the Catholicos Hênânîshô (686-701), Timotheos (780-823), and Jesubarnum (820-4) (published by Sachau, *Syrische Rechtsbücher*, vol. II), show us several parallels between the methods of the Catholicos and their subordinate local ecclesiastical courts on one hand, and of the Geonim and the local Jewish courts on

the other, in enforcing their ruling on their respective co-religionists. (See, e. g. *Henânishô*, Nos. 5, 8, 9, 11, 12: the ban was announced in the churches of the respective district on festivals; 14: the coercion is to be carried out also with the help of the secular authorities, in case the ecclesiastical authority is disobeyed; 25; *Timotheos*, §§ 9, 13-14; *Jesubarnum*, §§ 34, 36-9, 65-6, 115, and 125.)

2. The chief source of information about the organization of the Jewish courts in Babylon is to be found in Nathan's report (*Neub.*, II, 85-6). The responsa supply several supplementary details. In Babylon the exilarchs were entitled to appoint judges for the communities that were within their sphere of influence. The Geonim also undoubtedly possessed the same right in the districts under the jurisdiction of their respective academics (see *Neub.*, II, 81 and 82, beginning, and 86, and also Aptowitzer, *JQR.*, N. S., IV, 31).²⁵⁸ The diploma given to such judges is preserved in a Gaonic responsum, according to which they were invested with the authority of settling legal disputes and of supervising the practice of all ritual commandments, religious laws, and moral conduct.²⁵⁹ Such

²⁵⁸ It is of interest to learn that Saadya's rival to the Gaonate of Sura, Khalaf b. Sarjado, could appoint his nominee as Dayan of the distant community of Mossul (see Harkavy, *Studien u. Mitteilungen*, V, 207, ll. 9-11: ופני עכבר יומי בה אלי אפרים [בן] שטיא אלדי קר נצבה כלף בן (סרנאדו דיאן אלמוצל).

²⁵⁹ ג"ה, No. 180 (probably by Hai to Kairowan, written in 1011, see *ibid.*, 76, note 4): כי המנהג בבבל שבי"ד הגדול הן ממנין דיאנן בכל פלך ופלך וכותבין לו לריאן אגרת רשות וקוראין אותו בלשון ארמית פתקא דריאנותא וכן מפרשין 'דאנחנא מניניה לפלוני בר פלוני דיאנא באתרא פלוני ויהיבנא ליה רשותא למידן דיני ולאיתחזאה על כל מילי דמצואתא ודאיסורא והתירא ודחלית שמיא, וכל מאן דלא מקבל דינא על נפשיה אית ליה רשותא למעבד ביה מאי דחוי כי היכרין דחייב מן שמיא' (See also ה"פ, No. 156, and ש"ת, No. 217).

a judge, on his arrival at his new place of activity, had to select two assessors from amongst the respected members of the community, in the first instance in order to constitute a proper Bêt-Din which had to consist of at least three members, but chiefly for the purpose of being informed of the affairs of the community by members of long standing. The elders of the communities would supervise the activities of the respective judges, and could demand from the Exilarch, or the Geonim respectively, the deposal of unworthy judges. The Exilarch had a high-court situated at his place of residence, which, as we have seen above (VII, 469), was Bagdad since the times of Manṣûr. This high-court, or באבא דמרותא, is mentioned in כתב פסיק דינא דאיתפסקי בבאבא דמרותא דור : ג"ה, No. 555 : ראש גלותא . . . דכתבא דנן חייט ומלפך ביה נפק לקרמנא לבאבא דמתיבתא לבית דינא דמרנו ורבנו סעדיה. If the Exilarch happened to be a scholar, it is only natural that he would preside over the high-court. Thus in ג"ה, No. 555, we find the expression that 'the Exilarch (David b. Zakkai) gave judgement based on substantial Halakot and clear arguments' (ופסק ראש גלותא נטריה רחמנא דינא מן הלכאתא גבאראתא) (וטעמי ברירי).²⁶⁰ But since most of the Exilarchs were not learned and owed their exalted position merely to their descent from the Davidic family, they usually had a prominent scholar presiding over their High Court. We possess a responsum by a president of this High Court, R. Ṣemah, sent to Ḳairowan.²⁶¹ He must have attained

²⁶⁰ About the learned Exilarch Solomon b. Ilisai, see Halevy, דורות הראשונים, III, 213-14.

²⁶¹ Dukes in בן חנניא, IV, 141-2 prints from an Oxford MS. : זה טופס : החשובה שהשיב רב צמח ריש דייני דבבא דמרוואתה חסדאי ריש גלותא בריה דמרוואתה נטרוואי ריש גלותא לרבנא נתן בריה דרבנא חנניה לכל

considerable reputation that such a distant community asked for his opinion in religious matters. Probably the local judges in the communities under the Exilarch's jurisdiction consulted the High Court in difficult cases. Moreover, one of the parties concerned in a lawsuit could refuse to submit to the decision of the local judge and demand that the dispute should be settled by the High Court. From a Gaonic Document, published by Aptowitzer, *ƳQR.*, N. S., IV, 25, No. 1,²⁶² we know that this was the case as regards the High Courts of the Academies. In all probability the same procedure was in force at the Exilarch's High Court. The High Court of each of the two Academies was also presided over by an eminent scholar, the so-called *דיין דבבא* or *אב בית דין* (see Ginzberg, *Geon.*, I, 11, note 4; Aptowitzer, *ibid.*, 35-8). This president of the High Court of the Academy was second in rank to the Gaon, the supreme authority (but see above, VII, 468 ff.). It appears that the decisions rendered by the Exilarch's High Court had to be ratified by the High Courts of both Academies, as the responsum in *ג"ה*, No. 555, quoted above, p. 338, clearly shows. Moreover, it is well known that the quarrel between David b. Zakkai and Saadya arose because the latter refused to ratify a document, *תלמידים חכמים וקנים ושאר אהים הדרים בקירואן במדינת אפריקא*. See also *ג"ה*, p. 389. This R. Šemaḥ seems to have been identical with the *דיין דבבא* mentioned by R. 'Amram at the beginning of his Siddur (cp. *ג"ל*, No. 56). In *ש"צ* 3 a, No. 17, there is mentioned *מר רב חנינא* *דיאנא דבבא זל*, who after the death of Bustanai issued a deed of freedom to the exilarch's widow, the daughter of the Persian king Khusrau, in order that her children, the sons of Bustanai, should be in the status of freedmen. Cp. Eppenstein, *Monatsschrift*, 1908, 336-7.

²⁶² . . . עיינו במילי דבין פל חובע לפל נתבע וטרחו בקצתהון עד
 דסלקין לשלמא, אי דסלקי לשלמא מוטב ואי לא איקבעוהי זימנא לפל
 נתבע דייתי וישמע קדמנא בבבא דמתיבתא. Cp., *ibid.*, p. 32.

ment issued by the former's High Court, whereas Kohen Šedek complied with the request of the Exilarch (see Nathan's report in Neub., II, 80-81).

In Babylon the judge of a community had fixed emoluments from every member of his community above the age of twenty, and he also took fees for all legal documents which none but his scribe was allowed to draw up (Nathan in Neub., II, 85-6). As regards the communities outside Babylon, we may assume that in Egypt the Nagid generally had the power of appointing judges over the communities under his jurisdiction. But in other countries each community used to elect a judge of its own accord. We find references to communities that possessed no permanent Bêt-Din. In such cases the elders of the community used to settle by arbitration disputes arising amongst Jews. Thus the responsum in ש"צ, 84 b, No. 4, speaks of a community which has no permanent Bêt-Din, but where the elders, the disciples, and the respected members of the congregation 'settle all disputes arising amongst the Jews'.²⁶³ Likewise in ש"צ, 90 a, No. 29, the Gaon mentions 'the people that are fit to settle disputes amongst the members of a community that has no permanent Bêt-Din' (האנשים שמוכנים לשפוט בין העם במקום שאין בי"ד ממונה). On the other hand, several responsa refer to communities with permanent courts (cp. ג"ה, No. 180 and ש"צ, 90 b, No. 33). The Geonim were careful in recognizing the authority of such judges

²⁶³ במקום שאין דיין קבוע ויש מישראל מי שיש לו אצל חבריו הלואה או פקדון או ירושה ותפשו לפני הזקנים והתלמידים וטובי העיר וחייבו ... ואי: ג"ה, No. 233. Cp. also ג"ה, No. 233. אותו שיתן לו מה שיש עליו מן הדין ... ליכא בי דינא ולא תלמידי חבמים אע"ג דאיתבררא מילתא גבי זקנים ... חשובים.

who had not their authorization in communities abroad. R. Hai was consulted by his correspondents in ẖairowan as to the case of a Jew who swore not to attend at the local Bêt-Din, though the members of the community established a permanent Bêt-Din, and undertook to submit all their disputes to its decision. The Gaon in his answer draws the distinction between a judge appointed by the High Court of the Academy and one that had no such authorization. In the case of the former, any person that pronounced such an oath would be forced to appear before the Bêt-Din and would be flogged (מלקות) for his oath. Whereas in the case of the latter, such a procedure cannot be enforced (ג"נ, No. 180). From some community there came the complaint to R. Hai about the scandalous procedure of the local judges who would allow the beds of the poor, as well as their other belongings, to be taken as pledges, in contradiction to the Talmudic law (ט"ז, No. 86). The Gaon rightly gives vent to his indignation at such proceedings, and strongly urges upon his correspondents to do everything in their power in order to bring about the deposal of such judges. This can only refer to some community outside Babylon, since in Babylon the High Court of the Academy had the authority to remove such judges. All that the Geonim demand of such courts in countries outside Babylon is that they should be eminent and command the respect of everybody (see the definition of חשוב ב"ר ג"ה, No. 240, and cp. ג"ה, No. 14 = No. 255, end). Each community probably provided from the public funds for the maintenance of its Bêt-Din. A responsum in ג"נ, No. 82, mentions the case of a Jew who bequeathed the rental of his house for the use of the synagogue. The communal leaders, however, used the

rent for the salary of the judge of their community (למי שמתעסק בדיניהם שאין לו ממה שיחפרנס, see also ג"מ, No. 7).

3. On the whole, the Talmudic law was the guide of the Jewish judges in their dispensation of justice. For religious transgressions, flagellation in various degrees was inflicted, whereas in monetary lawsuits oaths would be administered. But in order to enforce its ruling, the Bêt-Din in the Gaonic times, as well as long afterwards, had only one means at its disposal, and that was the ban. All this was in use in Talmudic times. From the Gaonic responsa, however, we obtain a detailed account of the procedure of the Bêt-Din.

(a) *Corporal Punishment*. There were two grades of flagellation, the so-called מלקות for transgressions against Biblical commandments, and מכת מרדות for acting contrary to the prohibitions of the Rabbis (ש"ח, No. 9). The former, as is well known, consisted of thirty-nine stripes. But there are conflicting statements as regards the latter. R. Natronai states in a responsum (ש"צ, 91 b, No. 39 = ה"פ, No. 89; cp. ש"ח, No. 181) that the so-called flagellation of מלקות was no longer practised in his time, whereas the מכת מרדות had no fixed number of stripes, but was continued till the person concerned submitted to the decision of the Bêt-Din.²⁶⁴ But from responsa by Sherira and Hai it is evident that flagellation, consisting of thirty-nine stripes, was in practice still in their time (see ג"ה, No. 440 (sent

²⁶⁴ ומלקות דאורייתא לא נהנא היום אלא מכת מרדות, ומכת תורה מ' חסר א', ומכת מרדות אינה כן אלא חובטין אותו עד שיקבל או עד שתצא נפשו. In this connexion cp. the statement of Samuel ha-Nagid in a responsum (quoted in ספר העתים, ed. Schorr, 267) concerning people who were suspected of heresy and whom the early Spanish authorities had flogged: וקרמונינו הלכו מהן אנשים שאמרום למלקות ומתו מתוך הלקאה.

to Kairowan in 997; cp. *ibid.*, p. 235, note 2) = חש"ר, II, 41, No. 6). It seems that this punishment was inflicted for transgressions that could not be repaired, e. g. desecration of the Sabbath. Whereas for the purpose of enforcing the ruling of the Bêt-Din, the flagellation went on till the culprit acquiesced. However, מכת מרדות בלא חשבון is mentioned by R. Yehudai (760-4) for transgressions that could not be repaired (cp. חש"ר, I, 29, and II, 18; see also ש"ת, No. 15. and *Einleit.*, 20, note).²⁶⁵ During the flagellation corresponding verses from the Bible were recited, and the culprit had to make confession and ask for divine forgiveness (ג"ה, No. 440 = חש"ר, II, 41, No. 6). It seems also that the culprit was adjured not to repeat his sin (ש"ת, No. 7, and the responsum quoted by Müller, *Einleit.*, 6, note 4).

²⁶⁵ Quite a new distinction between מלקות and מכת מרדות is introduced in ס' בשר ע"ג גחלים (*Jahrb. d. Jüd.-Liter. Gesellschaft*, Frankfurt, V, Hebrew part, p. 67, No. 20): מלקות זה מלקות מ' שלוקין חשונגין והמתחרטין, מכת מרדות בלי חשבון למיזר, מתשובות ראשי ישיבות בבל וירושלם. As the responsa of the Babylonian Geonim, which we have discussed, do not know of this distinction, the above summary rather represents the views of the Palestinian Geonim than those of the Babylonian scholars. J. N. Epstein (in *Jahrbuch*, vol. VIII, 450) could not find what was 'obscure' in the summary of ס' בשר ע"ג גחלים. But his references to 'similar' responsa by Natronai and Hai (ש"צ, V, 7 (91 b) No. 39, and ש"ת, No. 15) are hardly to the point in question.—According to a responsum by Saadya (cited by Poznański, *JQR.*, N. S., III, 427 מכת מרדות consisted of thirteen stripes for the transgression of a traditional precept, such as hair-cutting on חוה"מ or wearing shoes during the days of mourning. This must have been the lenient side of מכת מרדות for slight transgressions. This number of thirteen stripes is also ordained by R. Hai, unnoticed by Poznański (in a responsum cited by Müller, *Einleit.*, 6, note, from שב"הל, II, § 150), אבל . . . משום החיזר מלקין אותו י"ג שהן מכות מרדות . . . ונהגו להלקות מכת מרדות למנלה בחוה"מ ולנועל מנעלו בימי האבל וכדומה להן . . . מבלל ישיש לנו מלקות קטן ומנין שהוא י"ג דתנן וכו'.

For certain transgressions, flagellation was accompanied by shaving the culprit's head and beard. Thus in ש"צ, 25 a, No. 13 (anonymous; in ה"פ, No. 94, by R. Natronai), we read that if a Jew be found guilty of having committed adultery with his female slave, he should be flogged and his hair shaved off. Likewise, in the case of adultery with a married woman, both culprits were flogged and had their hair shaved off (תש"ר, I, 29, among the הלכות קצובות of R. Yehudai = תש"ר, II, 18, l. 11, among the responsa of R. Natronai). The same punishment was inflicted for desecrating the Sabbath (תש"ר, II, 20). This strange punishment, which, as far as my knowledge goes, is not found in the Talmud,²⁶⁶ must have been borrowed by the Jews from the secular authorities. This punishment was practised in Spain under the Visigoths. One of the decrees of King Erwich, 680-7, was that the Jews who within a year from the publication of the decree, were not themselves or had not their children baptized, should be punished by a hundred stripes, *cutting of the hair of the head*, banishment, and confiscation of property (cp. Caro, *Social- u. Wirtschaftsgeschichte der Juden*, 73). This punishment of shaving the hair must have been usual in the Middle Ages in many countries. Cp. further Dr. Büchler, 'Das Schneiden des Haares als Strafe der Ehebrecher bei den Semiten' (in *Wiener Zeitschrift für die Kunde des Morgenlandes*, XIX, 91 ff.). It seems that there existed a kind of communal prison for the internment of culprits pending

²⁶⁶ Perhaps a reference to this kind of punishment is to be found in Sanh. 110a top, where the wife of Korah is supposed to have said to her husband: ועוד דגייז ליה למוייכו ומיטלל לבו כי כופתא 'he (Moses) shaved you all over and sports with you as (with a prisoner) in the stocks' (to כופתא, cp. also Jastrow, *Dictionary*, s. כופתא). Rashi, however, gives a different explanation.

their trial at the Bêt-Din. Thus, if a Jew committed some transgression on the Sabbath or on the Festivals, when he could not be flogged, he was imprisoned for that day, in order to prevent his escape (נמו"ט, No. 146, by Sherira; ש"ח, No. 182, and ה"פ, No. 135, by R. Paltoi of Pumbedita, 842-58; ש"ח, No. 182, cannot be by Sherira, as it contradicts נמו"ט, No. 146, whereas it agrees with ה"פ, No. 135). In all these responsa there is expressly mentioned the communal prison (בית הסהר). Likewise, in the Frankish Empire it seems that the Jewish authorities had the right of imprisoning a Jewish culprit. Thus in the year 576 C.E., we are told, St. Germanus on his journey from Tours to Severiacus found the Jew Amantius in chains and led by Jews, because he refused to obey the Jewish laws (see Aronius, *Regesten zur Geschichte der Juden im fränkischen und deutschen Reiche*, p. 13, to the year 576). However, confinement in a prison for a certain period as a punishment for transgressions was imposed by Jewish law only in a very few cases (cp. Sanh. 9³, מכניסין אותו לכיפה, as regards a homicide against whom there are no witnesses, and also as regards a culprit who persists in his transgression for which he had received already twice flagellation, see Frankel, *Der gerichtliche Beweis*, p. 167. and the instructive note in Lewy, *Abba Saul*, p. 35, note 85).

(b) *Oath*. The proper oath, which was accompanied by the laying of the hand on a scroll of the Law (ספר תורה), was abolished by the Gaon R. Šadok, 823-5. The reason for this abolition was because people were ready to take the oath without much consideration, and the Geonim were afraid of the serious Divine punishment consequent upon perjury (ה"ג, No. 22, by R. Natronai = ג"ק, No. 43; op. *Geon.*, II, 154 (תקפ"ו), ש"צ, 73 a, No. 9, by R. Hai). This

change introduced by R. Ṣadok spread only gradually. In the time of R. Paltoi we find judges still continuing to adjure people with the proper oath, שבועת התורה (cp. ג"ל, No. 10). As a substitute for the proper oath, curses used to be pronounced against any one who gave false evidence in monetary lawsuits. In order to make these curses, called נזירתא, effective, they were pronounced in the synagogue accompanied by a solemn ceremony, which we find fully described in two responsa (ג"ל, No. 10, by Paltoi, 842-58, and ש"צ, 76 a, No. 22, by R. Hai). The scroll of the Law was taken out from the ark, while the person concerned was familiarized with the curses that occur in the Bible. A bier was brought to the synagogue, and on it lay the shroud of the dead. Ashes were strewn under the feet of the person concerned, and inflated bladders as well as a cock were brought to the synagogue. The candles were lighted and the school-children were present. Then to the accompaniment of horns, the delegate of the Bêt-Din pronounced against the person concerned curses which would be fulfilled, in case he was making false statements. All the details of this ceremony, so strange and gruesome as they appear to us, had symbolical meanings, and were meant to impress upon the adjured the responsibility he undertook in making his statements before the court.²⁶⁷ Generally, this ceremony

... וכשמתחייב אדם שבועה ובקשתם להשביעו יוציאו: ג"ל, No. 10: ²⁶⁷ ס"ת ויבינו אותו על הקללות הכתובות בתורה ויביאו מטה שנושאין בה מתים ויפרישו עליה כלים שהם פורשין על המתים ויוציאו שופרות ותינוקות של בית הכנסת ויביאו נאדות נפוחים וישליכו אֶתֶן לפני המטה ויאמרו ב"ד לאותו אדם שמשביעין אותו הו' יודע שלמחר אותו האיש מושלך כנאדות הללו ומביאין תרנגולין ומדליקין נרות ומביאין אפר ומעמידין את האיש . . . שנתחייב שבועה על האפר ותוקעין בשופרות. . . . Some of these details

used to take place in the synagogue on Mondays and Thursdays after the morning service, whilst all the worshippers were present (ג"ל, No. 9, probably by R. Hai). Even married women had to go through the same ceremony in public (ש"ט, 69 a, No. 72, by Natronai, which agrees with the responsum quoted in ג"ל, No. 9, in the name of R. Šemah). Later Geonim, however, seem to have spared married women this publicity, and allowed them to be adjured privately in the presence of three Jews (ג"ל, No. 9). Another kind of adjuration was administered in cases of suspicion. For example, if a Jew suspected another Jew of having stolen something from his house or of having denounced him to the secular authorities, he could, after having substantiated his suspicions, obtain from the Bêt-Din the permission of having a ban or curses announced in the synagogue anonymously against anybody that caused him harm. This permission, which was called פתקא דלמואתא (ג"ל, Nos. 1 and 333), was, however, not accompanied by the ceremony described above (cp. ה"ג, No. 137, by R. Hai; ג"ק, No. 193, by R. Joseph Ibn Abitur of Cordova; ג"ל, No. 13). The same permission was granted by the Bêt-Din, on the demand of one of the parties concerned in a lawsuit, against any person that refrained from coming to the Bêt-Din and giving his evidence (see the Gaonic Document published by Aptowitzer, *JQR.*, N. S., IV, 28, No. VII). R. Hai, as well as his predecessors, were very

אמר רב אייבו מפני מה משיבין האדם בספר : אמר ר' סימון מפני מה משיבין את האדם ונותנים לפניו נודות מנופחות ותוקעים בשופרות לומר אתמול היו מלאין גידין ועצמות ועבשו חם ריקות יכולם כך כל מי שנישבע על השקר לחברו סופו לצאת ריקם מכל נכסיו

אמר רב אייבו מפני מה משיבין האדם בספר : אמר ר' סימון מפני מה משיבין את האדם ונותנים לפניו נודות מנופחות ותוקעים בשופרות לומר אתמול היו מלאין גידין ועצמות ועבשו חם ריקות יכולם כך כל מי שנישבע על השקר לחברו סופו לצאת ריקם מכל נכסיו

אמר רב אייבו מפני מה משיבין האדם בספר : אמר ר' סימון מפני מה משיבין את האדם ונותנים לפניו נודות מנופחות ותוקעים בשופרות לומר אתמול היו מלאין גידין ועצמות ועבשו חם ריקות יכולם כך כל מי שנישבע על השקר לחברו סופו לצאת ריקם מכל נכסיו

careful in giving such a permission to claimants, and they would grant it only on the demand of orphans or their guardians to be used against anybody that concealed money entrusted to him by their father.²⁶⁸

(c) *Excommunication*. To enforce obedience to and acquiescence in all their decisions, the Bêt-Din had only the ban at its disposal, by means of which the culprit was entirely separated from Jewish society. The Geonim, as the spiritual leaders of Jewry, were anxious to make the ban as effective as possible. The ban announced against some Jew used to be sent to all the communities of the district or the country wherein the person concerned resided. In this way, the effectiveness of the excommunication was to be secured. The utter separation from all intercourse with his co-religionists must have weighed heavily upon the excommunicated, especially in those times when a Jew almost exclusively moved in Jewish society. A full description of the extent of the ban is given in a responsum by R. Paltoï, 842-58 (ג"ל, No. 10, and with some changes in ש"צ, 75 a, No. 14).²⁶⁹ There was a milder degree of

. . . והיו יודעין שאין אנחנו ולא אבותינו רגילין ליתן : ג"ל, No. 22.
 רשות לכל מי שיבא ויאמר כתבו לי פתקא דלטווא ותנו לי להחרים
 סתם בצבור אלא כך אנו אומרים אם אתה תובע אדם ידוע הרי הדין
 ביניכם ואם לא מסור אתה בביתך דין על המעלים כמך וקלל אותו
 כרצונך, אבל יתומים שבאו בטענה הם או אפטרופוס י שלהם ואמרו
 אין אנו יודעים אצל מי יש למוריישנו כלום כותבין פתקא דלטווא
 Cp. גמ"מ, No. 22, end, by Saadya.

²⁶⁹ The text in ג"ל is more correct. Thus the terrible phrase ועקרו
 וחתכו ציצותיו parallel to וקרו מווחו:—ג"ל reads in ש"צ מווחותיו
 ג"ל agrees the *Gaonic Document* published by Aptowitz, *ibid.*, 26, No. IV.
 The Karaite ban was likewise stringent. See Benjamin Nahavendi (מישאת)
 ואם לא יבוא [הבע"ד לבי"ד] מקללין אותו ערב ובוקר (בנימין
 בב"ד ז' ימים ע"ד התורה באזה צד נוהגים עמו לא נשאל בשלוחו ולא

excommunication, called נדוי or שמתה, which enjoined the people to keep aloof from the excommunicated. The document called פתיחה, issued by the Bêt-Din to this effect, was valid for thirty days (cp. ש"ת, Nos. 41-2, by R. Hai; ג"ה, No. 182, and p. 357 note to p. 84; *Gaonic Document*, No. III, published by Aptowitzer, *ibid.*, 26). If the excommunicated remained obstinate, the more severe form of excommunication, the so-called אחרמתה or חרם, was used. The effect of this ban must have been crushing, if carried out in all its severity. In all the synagogues of the neighbouring communities the ban was announced, declaring the food and drink of the culprit to be like that of a non-Jew and forbidding, under penalty of excommunication, any Jew from keeping company with the excommunicated person, or to circumcise his son, or to teach his children in the public schools, or, finally, to assist at the burial on the death of a member of his household. Sometimes the ban went so far as to declare those who ventured to talk to the person under the ban, as being *eo ipso* in his position (ש"ת, No. 42, by R. Hai, and גמ"ז, No. 217).

It would be unjust to attack R. Paltoi for this frightfulness of the ban (as Weiss, דרו"ד, IV, p. 15 top, note 10, and p. 116, does), since R. Paltoi was not the inventor of this form of excommunication. It must have been in practice long before him (see also Gr. V⁴, 139, note 4). The ban was handled with as much severity also by the contemporary Christian ecclesiastical authorities in Babylon. In fact, it was in the general way of coercion in that period,

נעמוד אצלו ולא נאזן לו ולא נקבל ממנו כל מתנה וכל תשובה ונבדל ממנו ונחשבהו כמות עד שיבא לב"ד ויקבל הדין במה אשר העוה

and one person ought not to be blamed for not being above and beyond his time. In the time of R. Hai, the grim severity of the ban was somewhat relaxed. The Gaon is of the opinion that the new-born son of the excommunicated should be circumcised, and also that if the man died during the term of his excommunication, he should be buried (ת"ש, No. 41). It must be admitted that those affected by the ban suffered considerably under its weight. However, a strict handling of the ban, as the only means of coercion at the disposal of the Bêt-Din, or of the communal leaders, was on the whole necessary for the preservation of the prestige of the authorities. This becomes evident when we consider in particular the ends which the ban served to attain.

4. The duties which were entrusted to the care of the Bêt-Din in every community can be divided into two chief branches. The one consisted in the dispensation of justice in monetary lawsuits, while the other comprised the supervision of the practice of morality and religion by the masses. In carrying out their duties in both these spheres of activity, the Jewish courts must have made frequent use of the ban, in order to bring pressure to bear upon refractory people.

(a) *Monetary Affairs.* The procedure of the Bêt-Din in helping a creditor to recover his money in case the debtor declared his insolvency is fully described in a responsum by R. Natronai in ת"ש, 86 a, No. 15. Naturally, the procedure described in the Talmud served as an example for the Bêt-Din in the Gaonic period. But nowhere in the Talmud is there to be found such detailed descriptions of the procedure of the Bêt-Din as in the Gaonic responsa. To take the case of insolvency, the creditor

was entitled to recover his money from all those people who bought property from the debtor after the date of his loan. To this effect the Bêt-Din would issue to the creditor a document of exactment, *שטר טירפא*, while destroying his original bond issued by the debtor. In case the people who bought the debtor's property refused to pay to the creditor his due, the milder form of the ban would be declared against them to be in effect for thirty days. If after this time the excommunicated persons persisted in their obstinacy, the severer form of the ban, the so-called *אחרמחא*, was brought to bear upon them to last for the same time of thirty days. If this had no effect, the Bêt-Din finally allowed the creditor to enter perforce the property of the buyers, and to appropriate with the help of the surveyors appointed by the Bêt-Din, a part of the property covering the amount of his loan. To this effect, the creditor received *שטר אדרכתא* while his *שטר טירפא* was destroyed. Finally, when already in possession of the property, the creditor received a deed of property signed by the Bêt-Din in lieu of the *שטר אדרכתא*. The same procedure was in use in the case of a debtor refusing to appear before the court, or if he left the country after an adverse decision of the Bêt-Din (see the *Gaonic Decrees and Documents* published by Aptowitz, *JQR.*, N. S., IV-VI, 25-8; ג"ה, No. 234, by R. Hai). Several other instances of coercion by means of the ban in civil lawsuits are discussed in several responsa (cp. ג"ה, Nos. 184 and 233; ש"צ, 77 a, No. 32; 84 b, No. 4, and 87 a, No. 17). In short, the Bêt-Din endeavoured to safeguard the just claims of people and to forestall any dishonest dealings. An interesting case is reported in *Geon.*, II, 154, l. 1 ff., about a debtor who tried to avoid paying his debts by

attempting to give a bogus document of divorce to his wife, who in her turn would claim all the property of her husband for her Ketubah and in this way outwit the creditors. In this case again, the ban was useful for bringing pressure to bear upon the debtor.²⁷⁰ Of special importance was the duty of safeguarding the interests of orphans. The Bêt-Din is styled 'the father of orphans'. Thus the Jewish court had to demand from the guardians accounts as to how they managed the affairs of orphans entrusted to them (see ג"ה, No. 178 = גמ"מ, No. 5, ג"ה, No. 324, and גמ"מ, No. 217). No guardian could relegate his charge to other people without the permission of the Bêt-Din (*Geon.*, II, 101 (VIII)). In case there was no trustee appointed by the testator, the Bêt-Din would appoint a respectable and worthy person to act as such (cp. the Gaonic Document שטר אפטרופא, published by Aptowitzer, *ibid.*, 29, No. IX). The Bêt-Din further watched carefully over the credibility of witnesses who gave evidence before Jewish courts. If a witness was found out as having given false evidence, he was excommunicated, flogged, and publicly declared to be a false witness (see גמ"מ, No. 88, end ; ג"ה, No. 3, by R. Nahshon ; ש"צ, 85 b, No. 13 ; 87 a, No. 16 ; 88 b, No. 22 ; 89 a, No. 25 ; 92 a, No. 42 ; 92 b, No. 45). In all cases such as discussed above, a firm handling of the ban was undoubtedly essential in order to secure honest dealing and general peace in the communities.

(b) *Religious and Moral Supervision.* In this sphere of activity we shall find instances of coercion by the Bêt-Din which appear excessively harsh to modern people.

ולשתמט וליתחרם בשיפורי ערב ובוקר בשבתות וביו"ט בבל בתי ²⁷⁰
בנסיות עד שישלום.

We shall, however, see that some of these cases were due to the opposition of the *Ḳaraïtes*. Religious practices, by themselves of minor or of no importance, became the battle-cry of the two opposing parties of *Rabbinites* and *Ḳaraïtes*. The practice of quite an insignificant custom became the criterion of a man's adherence to the one or the other party. Accordingly, the *Geonim* acted as only partisans could act, and proceeded with great severity against those that showed the slightest sign of disloyalty to *Rabbinism*, as conceived by the heads of the *Academies*. As regards matters of public morality, it is well known that from times of yore the spiritual leaders of *Jewry* were very anxious to maintain the standard of purity of the Jewish home as high as possible. Accordingly, the *Geonim* were relentless in their severity against the offspring of illegal marriages, in order to prevent their mixing with the bulk of the people. These offspring were entirely excluded from the society of *Jews*, and were regarded as the outcasts of humanity (see the important responsum of *R. Natronai* in ש"צ, 24 a and b, Nos. 7 and 10, concerning the children of Jewish sectarians who desired to rejoin the general body of conforming *Jews*; ג"ה, No. 535, p. 264 top). We have seen above (p. 344) what a severe punishment was meted out in cases of adultery (cp. also *Geon.*, II, 155, l. 29). On the other hand, the *Bêt-Din* was very careful in accepting any evidence which would cast a slur on the respectability of any *Jew*. No investigation was ordered by the *Bêt-Din* unless there were persistent rumours about a *Jew's* moral behaviour.²⁷¹ Sometimes, in the case of evil rumours

²⁷¹ ש"צ, 27 b, No. 38, by *Natronai*: מצינו קדמונינו בדבר כזה בשהיו העם: מרננין בדברים שאינן טובים. . . ולא מצינו שהיו חוקרין על מי שחזקו שהוא כשר בשלא היו העם מרננין עליו ובמעשיהם החזקו אנחנו. . . Cp. ש"ת, No. 7.

persistently recurring about certain people, the Bêt-Din would act according to the Talmudic principle of מלקין על לא טובה השמועה. But the Bêt-Din was very judicious in such matters. Under no circumstances would this principle be applied to a woman, in order not to cast a slur on her children (see ש"ת, No. 179; ה"פ, No. 94, by R. Natronai; Pardes, 25 b). In order to put a stop to rumours which malicious people were ready to invent and spread, the Bêt-Din would order that flogging should be meted out to anybody that came singly with evidence against people in matters of morality and religion (ש"ת, No. 8). According to Jewish law, the guilt of a man could not be established unless on the evidence of two people, whereas the testimony of one witness would serve no other purpose but to spread unsubstantiated rumours about innocent people.

The religious supervision of the Bêt-Din was variegated and many-sided. Sherira reports that already from early times the Bêt-Din used to have a kind of secret police, who searched whether people did not hide anything containing leavened bread (חמין) during the festival of Passover.²⁷² Owing to the opposition against the Karaites, the Geonim adopted a strict attitude in the case of some minor transgressions. Thus for doing work on the intermediate days of the Festivals (חול המועד), excommunication as well as flagellation were meted out to the culprit.²⁷³

הלכך אכריו דאיסורא הוא דלא לעבדין הכי : ש"ת, No. 270, end : ומאן דעבד הכי בתר התראה שמתוהו ופירשו מיניה ובדקו אבתר מאן דעבד הכי דאנחנא וכל רשואתא דמן קדמנא רגילין לישדורי שמועי ושלוחי . . . ולאברוקי מאן דמצנע מידעם . . .

²⁷³ ש"ת, No. 216, probably R. Natronai, to whom probably the whole group of responsa, Nos. 213-20, belongs : . . . וכל מקום שאי אפשר לקנוס כנון חייט או אורג שהם עושין מלאכה לאחרים שאי אפשר לקנוס

The same punishment was inflicted on one that married on a Festival or on חול המועד (ש"ת, No. 218, end), or had his hair cut on חוה"מ, or wore shoes during the seven days of mourning.²⁷⁴ To such length did this opposition against the Karaites go, that R. Natronai in a responsum enjoins that a Jew who does not eat warm food on the Sabbath, prepared in the traditional manner of הטמנה, should be excommunicated from the Jewish community.²⁷⁵ This Gaon was particularly vehement in his opposition against the Karaites. In a passage preserved in סר"ע (ed. Warsaw, 37 b), we find R. Natronai giving vent to his strong feelings as regards those people who shorten the reading of the Hagada of Passover by leaving out the Agadic portions. By doing so, they were held to betray Karaite leanings, since, as is well known, the Karaites were opposed to the Talmud as a whole. Whoever changed the traditional text was in the eyes of the Gaon a heretic who should be excommunicated.²⁷⁶

לממון של אחינו ישראל קונסים אותם בעצמם. משמתינן ליה ומלקינן ליה
עד דמקבל עליה דינא . . .

²⁷⁴ See above, p. 343, note 265, end: מכת . . . ונחגו להלקות מכת . . .

. . . הלכך כל מי שאינו אוכל חמין בשבת לפי אותו : ש"ת, No. 34.
הדרך (הטמנה. i. e.) בר נדוי הוא ודרך מינות יש בו וצריך להפרישו מקהל
ישראל ויש לנו לדקדק אחריו . . .

אלא כל שעושה כן מין הוא וחלוק לב הוא וכופר בדברי חז"ל²⁷⁶
ובוזה דברי משנה ותלמוד וחייבין כל הקהלות לנדותו ולהבדילו מקהל
ישראל . . . ואילולי טינא שיש בלבבם וחלוק לבם ואין רוצין לומר דברי
משנה ותלמוד . . . אלא הללו מינין ומלעיגין ובוזין דברי חז"ל ותלמידי
ענן ירקב שמו אביי של דניאל חוט המשוולש ברשע ובמינות שאמר
לכל התועים והזונים אחריו עזבו דברי משנה ותלמוד ואני אעשה לבם
תלמוד משלי ועדין הן בטעותם . . . ועכשיו צריכין לנדותם שלא להתפלל
עם ישראל בבית הכנסת ולהבדילם . . . Cp. Schorr, *Hehalutz*, XIII, 49,
note I.

Apart from the zeal of the partisan, intolerance was rampant in those times within all religious communities. Even the Geonim were not free from this general foible. On the whole, the Bêt-Din acted with strictness in cases of transgressions against important laws. For desecrating the Sabbath, which in olden times entailed capital punishment, the Geonim imposed the punishment of flagellation, and the culprit was publicly abused (ש"ת, No. 45, by Hai; cp. ש"צ, 91 b, No. 38). Similar was the case with a priest (כהן) who married one of the class of women prohibited to him in the Bible (cp. ש"ת, No. 180, by Sherira; ה"פ, No. 88, by R. Samuel b. Ḥofni; חש"ר, II, 7, ll. 11-15). Even if the priest renounced his priesthood, he would remain under the ban until he repented. From R. Hai's responsum in ש"ת, No. 231, we gather that in his time there were many priests who married illegally and disobeyed the warnings of the Bêt-Din.²⁷⁷ From a responsum in גמ"מ, No. 103 (this detail is missing both in ש"ת, No. 142, and in ג"ל, No. 36), it seems that the ban could be extended even to a non-Jew in case he blasphemed the name of God. This ban was probably intended to prohibit Jews from having intercourse with the offending non-Jew. For further details about the use of the ban by the Bêt-Din, see ה"ג, No. 15, by R. Natronai = *Geon.*, II, 30 ff., by R. Ṣemaḥ; ה"פ, No. 26, by R. 'Amram; and *Geon.*, II, 26 (II), by

²⁷⁷ Surprising is the statement of R. Ṣemaḥ, in ש"ת, No. 177, and ה"פ, No. 84, concerning a priest who married a woman that had been divorced: ומיתבעי לשמותיה עד דפריש מינה ואלקויה ויראו אחרים ויוסרו, ואי הוו חיישנין דאזיל לדוכתא אחריתי ופרים ידיה הוו קצין ליה לראש . . . אצבעתיה וקבעין ביה מומא דלא לפרים ידיה. . . Had the Bêt-Din in those times the power of inflicting such punishment?

R. Naḥshon. The general attitude of the Geonim in matters of religion and morality is well summed up by Sherira (נמו"כ, No. 44 = *Geon.*, II, 2c6-7): ואמונה הוא שיגדרו: נדירות בישראל ולא ירבו לפרין פרין כי פרצה קוראה לגנב . . .

5. Another important branch relating to the welfare of the communities, and which the Bêt-Din had to attend to, was the maintenance of public order. Cases of insults and fights arising between people, included in the Talmudic term of דיני קנסות, could, according to an old custom, be settled only by Jewish courts in Palestine (Baba ḥamma 84; cp. ש"צ, 29 a, Nos. 1 and 2). However, such a state of affairs became dangerous to the peace of the communities in Babylon as well as in other countries outside Palestine since by being scot-free, violent people would frequently take recourse to insults and violence. Accordingly, the Geonim had to find some device of overriding the Talmudic rule of אין גובין דיני קנסות בבבל. This they did by simply forcing the culprit, by means of the ban, to conciliate his victim. The Bêt-Din could not impose the fine on account of the Talmudic law referred to. Thus they left it to the culprit to come to an agreement with the person whom he made to suffer. As long as no such settlement was agreed to, the culprit would remain under the ban. The first to introduce this device for the sake of public order and safety was R. Ṣadok of Sura, 823-5 (cp. ש"צ, 29 a, No. 2, by R. Natronai; ח"ג, No. 60, and ש"צ, 31 a, No. 14, by R. Ṣemaḥ, probably of Sura, 882-7). R. Ṣadok's practice was followed by his successors. Several responsa, dealing with cases of insults and personal injury, show us clearly the practice of the Geonim after R. Ṣadok (ח"פ, No. 94, by R. Natronai; Pardes, 24 d and 25 a top, by R. 'Amram, 856-74, and R. Mattithiah, 861-9; ש"צ, 29 a,

No. 3, by Sar Shalom, 849-53; cp. ש"צ, 29 b, No. 4).²⁷⁸ In Palestine, however, these דיני קנסות were attended to by the Bêt-Din even in the time of the Geonim. The Jewish judges used actually to fix the fine for insults and personal injuries.²⁷⁹ From responsa by R. Meshullam of Lucca we learn the interesting fact that in Italy and France, to which countries R. Meshullam in all probability sent his responsa, the Jewish judges used to fix the fines just as in Palestine. It seems that in these countries they took the Talmudic maxim of אין גובין דיני קנסות בבבל to refer only to Babylon, but not to the other countries of the diaspora; whereas the Babylonian Geonim understood it to include Babylon 'and how much more the other countries' (ובל שכן שאר ארצות), ש"צ, 29 a, Nos. 1 and 3). Thus, in Italy and in France, they had no need of taking recourse to the device introduced by R. Šadoḡ. There used to be fixed fines for insults. However, when the insult and damage were outrageous, the Bêt-Din would considerably augment the fixed fine.²⁸⁰

There were several other instances wherein the Bêt-

²⁷⁸ See also מנהג בשתי ישיבות של: ס' בשר ע"ג נחלים (*l. c.*, No. 22): נשיא ובישיבות של ראש גולה (?) שאע"פ שאין קנס בבבל מנדין אותו שיפיים בעל דינו בכדי שיפסקו עליו רבנן תנאי וסבוראי אבל אי בעי טפי לא שמעינן להו. Cp. further, Hefes b. Yašliaḥ, ed. Halper, 222 = *JQR*. N. S., V, 100, l. 12 ff.

²⁷⁹ Cp. ש"צ, 30 a, No. 7: responsum from Palestine; 30 b, No. 13 = . . . ובמקום שגובין קנסות בא"י; *Parides* 24 d: . . . והכי אמר רב כהן צדק ז"ל אם טוען ואמר כיון שאין דנין דיני קנסות בחוץ לארץ שלה עמי בעל דיני לא"י ישטם דנין דיני קנסות. מושלחין אותו עמו. . .

²⁸⁰ Cp. ג"ק, No. 125; ג"ק, No. 135 = ש"צ, 31 a, No. 16: מי שחבל . . . בחבירו וקנסוהו בי"ד וכתבו והתמו ונתנו ביד החובל . . . ג"ו. See also No. 44.

Din imposed its decision by means of the ban. To a very good purpose was this coercion exercised by the Bêt-Din, e.g. in the case of a woman who demanded her divorce after her husband—in those days of polygamy—added another wife to his household as a rival to his first wife (צ"ש, 67 b, No. 60). Sometimes it would happen that though the married life became intolerable, a husband would refuse to grant divorce unless his wife renounced her claims upon the Ketubah (צ"ש, 15 a, No. 27 = 69 b, No. 74; cp. ג"ה, Nos. 319 and 345). In all like cases, the Bêt-Din compelled the husband to grant the divorce. Moreover, if a husband left for abroad without providing for his wife, the Bêt-Din used to sell a part of his property for the maintenance of his wife (cp. צ"ש, 63 b, No. 38, by R. Paltoi). R. Hai reports that there existed a covenant strengthened by a ban not to divulge the secrets of mysticism to unworthy people.²⁸¹ On the whole, in order to assert its prestige, the Bêt-Din usually made use of the ban. Above (p. 341), mention was made of the fact that if, e.g., a Jew took an oath not to obey the summons of the judges of his community, he would be coerced by means of the ban to forgo his oath. However, we learn from the responsa that in some communities the Bêt-Din was unable to enforce its ruling on the members of the community (cp. above, pp. 143-4; גמ"מ, No. 153, by some Spanish or French scholar).

6. The last paragraph of this chapter will deal with the powers invested with the Exilarchs in Babylon as well as with the communal leaders outside Babylon. Sherira in his *Letter* (p. 33) tells us that during the reign of the

²⁸¹ ויש ברית בחרם בית דין : ש"ת, No. 14 ; ג"ל, Nos. 29 and 31 ; . . . שאין למסרם אלא לנאמנים ולמי שרואין בו הכרת פנים שראוי לכך.

Persians the Exilarchs used to wield great power with the help of the secular authorities. The Exilarchs retained this influence for a long period after the advent of the Muslims. It was only in the time of David b. Yehuda that the Exilarchs lost much of their prestige by being deprived of the Caliph's support.²³² What this reduction of power amounted to, is explained by a statement of an Arabic writer, Othman al-Gahiz (died in 869), published by Goldziher, *REJ.*, VIII, 122 ff. This writer, who probably refers to the conditions that existed in his time, states that 'neither the Catholics nor the Exilarch have the right in the Muslim Empire to condemn any of their respective co-religionists to imprisonment or flagellation. They possess only the power of excommunication.' But it has been sufficiently shown in the preceding pages (p. 342 ff.) that the Bêt-Din continued to inflict the punishment of flagellation, and even imprisonment, down to the time of the last Geonim (cp. also Weiss in *בית הלל*, V, 268). Possibly before the change referred to above, the secular authorities would assist the Bêt-Din, through the intervention of the Exilarch, in carrying out its decisions even in religious matters. Whereas in later times, a culprit could seek protection with the secular authorities, in order to escape flagellation (see above, p. 122-3). Thus it resulted that the only means of coercion at the disposal of the Bêt-Din was the ban. A culprit would remain

... והוא להון לרשי גלואתא מרות קשה ושולטנותא רבתא בימי פרסאים ובראש ימי ישמעאלים דהוו זבנין ליה לרש גלואתא בדמיים גדולים... ובאמצע ימי ישמעאלים בימי דוד בן זכאי (יהודה v. l. הגשיא גדולים... Cp. Gr. V⁴, 445 f. According to Barhebraeus this happened in 825, during the reign of the Caliph Maamun, 813-33.

under the heavy burden of excommunication as long as he did not submit to the flagellation imposed by the Jewish authorities. As regards the powers of the Exilarchs after the curtailment of their influence, we learn from Nathan's well-known report that the Exilarch David b. Zakkai wielded great authority, and that he was greatly assisted by the Caliph's authorities (Neub., II, 86, see 81 bottom). In view of all this evidence, the above statement of Othman al-Gahiz cannot be accepted without certain qualifications, at least as far as it refers to the Exilarch.

Very little is known of the procedure the Jewish communities, both in Babylon and in the other countries of the Diaspora, adopted in appointing their communal representatives. Whereas it is known that the Exilarch, as well as the Academies, appointed judges to officiate in such Babylonian communities as were under their jurisdiction, it is nowhere mentioned that the Exilarch could, for example, foist his nominees upon the communities to occupy the office of 'heads of the community', ראשי הקהל, whom Nathan mentions in his Report (Neub., II, 85-6). Interesting is the fact that a certain Nagid of Egypt in an account of his installation (published by Mr. E. N. Adler, *JQR.*, IX, 717-18) states that he is holding his office with the permission of the Exilarch Hisdai.²⁸³ But this Exilarch (also styled Nasi) probably resided either in Palestine or in Egypt. There is at present no further material available to give us a clear idea about the authority the Exilarchs possessed over the Jewries outside Babylon.

²⁸³ וְכִי אֲנִי עוֹצֵר בְּעַם ד' אַחֲרָיו בְּרִשְׁיוֹן אֲדוֹנָנוּ רֹאשׁ הַגּוֹלָה אֲשֶׁר אֲנַחְנוּ
וּבִל יִשְׂרָאֵל בָּאִים תַּחַת יְשִׁבַּת מַלְכוּתוֹ וּבִלְנוּ מִתְחַזְּקִים בְּאַלְהֵי אֱמֶן וּבִשְׁעַר
נִשְׂאֹתָיו יְרוּמָם. See Kaufmann, *JQR.*, X, 163-4; on the Nagid in general,
see Neubauer, *JQR.*, VIII, 551-5. See also Pozn., *Babyl. Geonim*, 112-13.

In Gaonic documents addressed to Jewish communities the communal representatives are mentioned in the following order: 'the scholars, the judges, the heads of the community, the learned of the community, the scribes, the Parnasim, other communal workers, and the pupil-teacher's'.²⁸⁴ Aptowitzer has already pointed out that Graetz (V⁴, 139) was wrong in making the Parnasim (פרנסי כניסיות) the heads of the community, whereas they are mentioned only after the communal scribes. Another mistake of Graetz, which Aptowitzer omitted to point out, is to take ולבררין, mentioned in ש"צ to mean 'the electors' of the community (Borrerim, בוררים), who, according to Graetz, elected the heads of their community 'in accordance with some unknown system of franchise'. The parallel

²⁸⁴ *Gaonic Documents* published by Aptowitzer, *JQR.*, New Series, IV, 26, Nos. III and IV: [ובני בני] (ובני בני). *כנישתא וסופרי ופרנסי ופלחין חרי ומיקרי דרדקי*. The parallel in ש"צ לחכמים וראשי כניסיות ווקנים ולבררין ופרנסי כניסיות. 75 a, No. 14 reads: *כנישתא וסופרי ופרנסי ופלחין חרי ומיקרי דרדקי*. Cp. Aptowitzer's remarks, pp. 41-2.—Ben Meir addresses the Babylonian communities as follows (*REJ.*, XLII, 180, l. 24 ff.): *לכל המון קהלות אחינו ישראל הדרים במדינת שגער הרבנים ווקנים וראשי כניסיות ובתי אבות ופרנסי צבור וגוברי עם ומרכולים ומלמדים וחונים ויחר אחינו יש' וכו'*. Of interest is the document of appointing a president (ראש) of a community as preserved in Albarceloni's *השטרות ס'* (cp. vol. VII, 462, note 7). It seems to me that Albarceloni found this document already in Saadya's work. Brit. Mus. Add. 27, 181, fol. 26 a, reads: *ובאנו לפרש בבאן מניין השטרות* וענייניהן לעניות דעתין ומצאנו בחבור רבי סעדיה גאון זל שהזכיר מניין השטרות ומצאן נו' (מ') (ed. Halberstam (Bodl. 890) reads *ויש' לך שטר*: 27 a bott. *ואחרות קטנות שהן צורך תקנות הוקנים והראשים . . . אחר אפטרופוס שאינו מעסקי משאות ומתנות אלא שבוררין להם הקהל אדם למנותו עליהם ראש ובתבין לו שטר ואעפ' שכתבוהו ראשונים בשטרי ומצאנו* (ed. Halb., p. 7): *אפטרופוס אינו נקרא אלא שטר מינוי וזה מופסו בקצת נוסחי עתיקי בשטרי השטרות דכתיב בהו להאי לישנא שטר אלא כתבנוהו כאן לפי שנמצא בנוסחא עתיקא*: p. 8; *אפטרופוסות . . . בכלל השטרות*.

in Aptowitzer's *Gaonic Documents* which reads וסופרי makes it clear that ולברין in ש"צ is nothing else but the correct form for the more usual ולבלרין (*librarius* = לבלר), scribes!

Interesting details about the internal organization of the Jewish community in Egypt are given by Gottheil (*JQR.*, XIX, 499-501) in extracts from the work of al-Ḳalkāshandī (d. 824 A.H.) who in his turn has as his authorities writers of the eighth century A.H. As the period dealt with in our present treatise ends about 1050, al-Ḳalkāshandī's statements cannot be discussed here fully. I should only like to point out that the distinction al-Ḳalkāshandī draws between the Ḥazzān, who 'must be well versed in preaching' and who 'ascends the Minbar (= Almemar) and exhorts them (i.e. the people)', and 'the Sheliaḥ-Zibbūr, i.e. the Imām who leads them in prayer', is not borne out by Jewish-Arabic writers in Egypt. Thus, e.g., Maimonides in an Arabic responsum (published by Friedlaender, *JQR.*, N. S., V, 7 ff.) uses the terms חזן and ש"צ promiscuously for the reader.

On special occasions, the Geonim invested the communal leaders with great authority. When the Jewish community of Nefusa (cp. above, VII, 484) was reorganized after the town had been sacked, many communal questions demanded settlement. A matter that called for particular attention was the fact that all the Ketubas were burned. This gave rise to many disputes as to the amount of dowry each woman claimed, especially since many women had the amount of their dowries twice or three times overestimated in their Ketubas. The Gaon R. Ḥananiah, 938-43, advised the communal leaders to convene a meeting for estimating each woman's dowry according to the

economic position of her husband. These resolutions were then to be enforced by means of the ban.²⁸⁵ Likewise, for the purpose of obtaining a true estimate of each member's taxing capacity, and in this way a just distribution of the taxes that were imposed upon the whole of the community, the leaders used to announce a ban against those that made false statements about their economic position (cp. גמ"מ, No. 205).

Usually in the communities where there existed a Bêt-Din, conjoint proceedings would be taken by the Bêt-Din and the communal leaders. In places where no permanent Jewish courts were established, the communal leaders, probably conjointly with the scholars of the town, settled monetary disputes and cases pertaining to public order. In the responsa that deal with these cases קהל usually stands for the communal leaders (cp. פ"ג, No. 125; גמ"מ, No. 217; ש"צ, 84 b, No. 4; ג"ה, No. 346, sent to Kairovan in 991; cp. *ibid.*, 179, note 1). In פ"ג, No. 82, there is mentioned the case of some Jews giving evidence before the קהל to the effect that certain of their co-religionists spoke heresy. One of the suspected takes the oath to prove his innocence. R. Aaron, Gaon of Pumbedita, 943-61, concludes his responsum (ח"ג, No. 37) with the demand that the elders should, on receipt of his responsum, meet for the purpose of reading the Gaon's answer and acting

... כך היא תקנת הדבר שיתקבצו זקני המדינה ויהיו כולן בהסכמה ²⁸⁵
 אחת ויחוקו לכתובותיהן חק לפי שהיו יודעין מנהג מדינתן העשיר לפי
 עשרו והעני לפי עניו והבינונים לפי מה שהן . . . ויגזרו הזקנים גזרה
 וישימו את הדבר עליהם לחוק ולמשפט וכל אשר לא ישמע ויקבל עליו
 חק הזקנים יגדוהו ויחרימוהו ויגזרו אותו שיחזור למוטב . . . ממקראות
 ושמעויות הללו נלמד שרישות ביד זקני העיר לתקן תקנות לבני עירם ולבוקר
 את בני עירם למה שחקנו . . .

in accordance with its contents. Usually the communal leaders had the supervision of the charitable legacies (see above, p. 341). In גמ"מ, No. 173, there are mentioned communal workers who looked after the poor in their community (. . . לעדים והם שהיו זקוקים בספוק העניים²⁸⁶). Interesting is the custom of whole communities binding themselves by means of an oath or a ban, publicly announced, to adhere to some institution agreed upon for the communal welfare, or not to use the public funds until they reached a certain amount. Sometimes it would happen that the new institution could not be followed by the majority of the community ; or, to take the second case, that some important events demanded the immediate use of the communal funds. In such eventualities, the Geonim were consulted as to how to dispose of the incubus of the oath or the ban entered upon by the community on an earlier occasion. Usually the Geonim allowed the community in question to alter its decision in accordance with the pressing requirements of the changed conditions (see ש"ת, Nos. 33, 139, and 339 ; ג"ל, No. 41 ; ה"פ, No. 116).

²⁸⁶ The Bêt-Din possessed also the right of supervising the communal charitable legacies, probably conjointly with the heads of the community (cp. גמ"מ, No. 162, and ש"צ, 83 a, No. 22).

(Concluded.)

CORRIGENDUM.

Vol. X, p. 134, note 200, l. 2 from bottom, *for* often *read* also.

THE TAKKANOT OF EZRA

(v. *JQR.*, N.S., VIII, pp. 61-74).

It is well known that some of the great expounders of the Talmud many times took the liberty to interpret Mishnayot or Baraitas at variance with the traditional exegesis of the Amoraim (see especially in Rapoport's *Erech Millin*, p. 238). However, they availed themselves of this right only in haggadic sentences or historical investigations. Modern critics saw no reason why they should not apply the same method in halakic Mishnayot and Baraitas as well. There is no need to enumerate instances, the expert knows them, others are not interested in them. There would therefore be no reason to object to Dr. Zeitlin's new explanations of the ancient Baraita dealing with the Takkanot Ezra from this standpoint, although he is at variance with the authorized explanations. Yet, before we take carefully such a step to override the talmudic expositions, which are not generally built in the air and based on misunderstanding, we have to consider whether there is a necessity, or at least a plausible reason to do so. I mean Dr. Zeitlin's all too clever interpretation of the fifth Takkanah. Before entering upon a discussion of this Takkanah, however, I should like to raise another point too. Dr. Zeitlin gives as his sources B. Baba Ḳamma, 82 b, and Pal. Megillah, iv, 1, p. 75 a. He overlooked apparently another Baraita b. Megillah 31, by R. Simon ben Eleazar : עזרא תיקן להן לִישְׂרָאֵל שִׁיחֵו קוּרִין קִלְלוֹת שְׁבִתוֹת כְּהֻנִּים קוֹדֶם עֲצֵרָת וּשְׁבִמְשֹׁנָה תוֹרָה קוֹדֶם רֹאשׁ הַשָּׁנָה. There is furthermore another version of our Baraita which the historian has to consider in order to define the relation of the various versions one to another; I mean the version in the Pirke Rabbenu ha-Ḳadosh, X. 7 (see Schoenblum, *שְׁלֹשָׁה סְפָרִים נִפְתָּחִים*, Lemberg, c. 1877, p. 40 b), where we read :

עשרה דברים תיקן עזרא : I שיהו קורין במנחה בשבת ובשני ובחמישי II ויהיו דנין בשני ובחמישי. III ושתהא אשה משכמת ואופה בע"ש כדי שתהיה פת מצויה לעניים. IV ויהיו אוכלין שום בלילי שבתות כדי שיוזקק לאשתו בלילי שבת ויקיים מצות עונה. V ויהיו נשים מספרות בבי"ה כדי שלא יבוא אדם וישב ביניהן. VI ושתהא אשה חופפת תחלה ובודקת עצמה וטובלת כדי שתזדקק לבעלה במהרה שלמה. VII והתקין טבילה לבעלי קריין. VIII ויהיו רוכלין מהזרין בעירות. IX ושתהא אשה חוגרת בסניר ושתהא אשה יושבת ומכבדת את ביתה ומעשה בריבה אחת שהיתה עומדת ומכבדת את ביתה ובא כלב ורבעה ובא מעשה לפני רבי והכשירוה לכהונה. From these ten Takkanot two are missing in the Baraitas mentioned in the Talmudim. On the other hand, we have to add here the Takkanah **בשבת בחמישה** and the institution mentioned by Simon ben Eleazar. The order seems to have been : (1) Takkanot for special days, e.g. Sabbath, Monday, and Thursday, and the Eve of Sabbath, and (2) Takkanot for the women.

The interpretation given for the fifth Takkanah does not hold good. First of all we are told that they did not permit the eating of garlic, because before plucking it from the ground they moistened it with water. This Halakah is based on Tosefta Makshirin, III, 3, ed. Zuckermann, p. 675, l. 19 f. Now, how are we to understand that the Tosefta singled out a special kind of garlic (**שום בעלכבי**), and does not speak of garlic generally (**שום בעלמא**)? Secondly, wherefore did they not include in the Takkanot of Ezra the provision for **המים הנאות מאלכסנדריא**, where the same reason and fear exists? Surely **אם כן** does not mean : '*ye, who do not avail yourselves of the Takkanah,*' but in both cases : 'if that is so that they moistened it with water,' &c. Thirdly, we may ask for a reason, what has the eating of garlic to do with the Eve of the Sabbath? Now Dr. Zeitlin informs us : The Talmud's explanation makes thereof a strange, grotesque takkanah, and long ago many expressed surprise that a Baraita should ascribe it to Ezra, particularly as the making of Sabbath eve the **זמן עונה** is one of the most recent things of the Talmud. Really? The source is B. Ketubot 62, yet the scholars mentioned there relate the actual conditions of their time, and do not suggest

with one word that they refer to a newly introduced custom or usage (see on this point M. Bloch, *Shaare Torat ha-Takkanot*, Wien, 1879, I, 1, p. 118). The history of Jewish sects justifies fully the traditional explanation of our Takkanah. The Book of Jubilees, no matter who the author was or to what party he belonged, or when he lived, teaches us clearly that there were Jews who actually prohibited חשי"ש on the Sabbath eve (see chap. L, 8 and B. Beer's remarks in his *Noch ein Wort zum Jubiläenbuch*, p. 54). Is it not plausible to say that the author or authors of the fifth Takkanah tried to counteract the influence of this sect? The Samaritans held the same view on this point as the author of Jubilees (see Abraham Geiger's *Nachgelassene Schriften*, III, p. 289). That explains the Mishnah Nedarim without unnecessary force and violence. It seems that the Zadokite Fragments share the view of Samaritans and Jubilees (see, however, Ginzberg, *MGWJ.* 1913, p. 401). The prohibition was later on revived by the Karaites. Anan derives it from Exodus 34. 21 (see Poznański in *Studies in Jewish Literature*, Berlin, 1913, p. 241). Other Karaites followed him faithfully (see Pinsker, *Lik. Kadm.*, pp. 22, 62, 106; Weiss, *Dor Dor*, IV, 62 and 75. On the Rabbanite opposition to this Karaite Halakah see my article in the *Festschrift* for Rector Dr. Adolph Schwartz of Vienna). There can therefore be no doubt about the origin and meaning of the fifth Takkanah.

One mistake causes another one! Dr. Zeitlin wants to explain in a new unheard-of way the Mishnah in Yadaim, which was never obscure at all. שאתם מטהרים את הנצוק means, as everybody is used to interpret it, נצוק חבור, as the commentaries put the case. The answer is: Is the stream coming from a cemetery not נצוק חבור, and does there exist a Sadducee in the whole world who would not use the water thereof? There is no need to mix Pilpul with history, especially when the Peshat is so near. We must avoid to construe ancient history with questions and answers, however clever and ingenious they may appear at the first sight.

A. MARMORSTEIN.

Jews' College, London.

Dr. A. Marmorstein, who agrees with me that we are not bound to accept the traditional explanation (of the Amoraim) of Mishnah and Baraita, and that we may, when critical investigation demands it, differ, does not agree with me in my interpretation of the Fifth Takkana (of the ten ascribed in the Talmud to Ezra), differing as it does from the traditional view. My proofs were based not only on Tosefta Makshirin III; that the traditional explanation is not acceptable is seen, as already cited, from Mishnah Nedarim III, 10 **אָסוּר בִּישְׂרָאֵל וְאָסוּר בְּכוֹתִים**. Dr. Marmorstein holds, as did Schor (*he-Halus*), the opinion that this Takkana was directed against the Samaritans and other sects who discountenance *tashmish* on the Sabbath, and this Mishnah with regard to *shum* refers to that Takkana. The Mishnah, critically examined, does not bear out this view. For if we accept the reading as **אָסוּר בְּכוֹתִים** we are confronted by the fact that the Takkana of Ezra was directed against all those sects, including Samaritans, who, observing the old Halakah, were against *tashmish* on Sabbath. Why then **אָסוּר בְּכוֹתִים**? If we accept, as I do, the reading **בְּכוֹתִים בְּיוֹמֵהֶם**, the question arises, why does not this Mishnah specify **לֵיל יְשֻׁבָּה**, why does it simply say **בְּאִיכָלֵי יוֹמֵם**, which would signify those who on principle eat garlic as distinguished from those who on principle do not eat it? The traditional view that the Samaritans refrained from **יְשׁוּבָה**, particularly on Friday night, but not the rest of the week, is opposed to the sense of this Mishnah. If the purpose of the author of the Takkana had been to discredit the sects (including Samaritans) who were opposed to **הַשְׂמִיטָה** on Sabbath, it would have been the easy and natural thing for him explicitly to sanction it with the expression **בְּיָצוֹה**, or he would have commended it and declared Friday evening **זְמַן עֵינָה** for everybody, laying as much stress thereon as did the Pharisees in their pronouncements against Sadducean views. Such purpose could not be effected by admonition to eat *shum* on Sabbath.

The fact that the Rabbis (in Ketubot), speaking of the varying frequency of **עֵינָה** among differing classes, say **הָיָה מֵעַ"ט לַע"ש** 'it is every Sabbath eve', has nothing to do with the old Halakah

against תשמיש on Sabbath (see Mishnah Ketubot V, 6, where no mention is made of עונה ע"ט). It is certainly not directed against that Halakah, as the mention of ערב שבת is made only with regard to the ח"ה (as to this old Halakah we can find traces thereof in the Talmud).

Dr. Marmorstein is not satisfied with my explanation of the disagreement between Pharisees and Sadducees on ניצוק, differing as it does from the traditional view. He thinks that the Mishnah never presented any difficulty; but see Geiger, *Urschrift*, p. 247; Derenbourg, *Essai*, p. 134.

Any Talmudic student, not holding himself bound to traditional exegesis, can see that the traditional view of this Mishnah is impossible of acceptance, as, according to that view of this Mishnah, we fail to see any analogy between question and counter-question. The Sadducees asked the Pharisees, 'Why do you declare ניצוק clean?' which tradition interprets as, 'Why do you declare clean that water which remains in the vessel after part has been poured out into an unclean vessel?' The retort is: 'Why do you pronounce clean the stream that issues from a cemetery?' The Sadducees ask one thing and the Pharisees answer with a question about what no one disputes, since in the Torah it is clearly stated מעין ובור מקוה מים יהיה טהור. It requires severe פלפול on the part of the traditionalists to find analogy in this Mishnah. By my theory, however, all difficulties vanish. As I have already stated in another place, 'equivocal expressions are frequently misleading even to students, and one of these equivocal expressions is ניצוק, which in places has really the connotation of pouring from one vessel to another.'

SOLOMON ZEITLIN.

HOPKINS'S 'HISTORY OF RELIGIONS.'

The History of Religions. By E. WASHBURN HOPKINS, Ph.D., LL.D., Professor of Sanskrit and Comparative Philology, Yale University. New York: The MACMILLAN COMPANY, 1918. pp. 6+624.

THIS new work on the history of religions is part of the 'Religious Science and Literature Series' appearing under the editorship of E. Hershey Sneath, Yale University, which is designed to provide text-books for religious education in colleges and universities. The present manual, accordingly, begins *ab ovo*, that is. in distinction from such works as those of Professors Moore and Barton, which are largely confined to the higher aspects of religion as they found expression among the oriental and classical peoples, Professor Hopkins goes back to the basic elements which underlie religious phenomena from the lowest to the highest, which he discusses in a genetic way. Adopting the figure of a tree for religion, he proposes to 'study the roots and higher growth of this tree, which through its age-long development, as any tree changes its earth-drawn sustenance into something more ethereal, has transmuted terror into reverent awe, hunger into hope, lust into love . . . We shall see in short that the higher not only is above the lower, but that it has ascended out of the lower. Savagery did not give place to civilization, but developed into it, was already civilization in germ' (p. 1).

Next to this comprehensiveness and breadth of view of the author which he shows throughout in his sympathetic, albeit discriminating, estimate of the several religions and their contributions of ethical and spiritual values, may be singled out his independence and critical attitude towards time-honoured shibboleths and assumptions, which will be illustrated in reviewing the chapter on the Religion of Israel.

In two introductory chapters are discussed the preliminary questions of definitions, sources, and classifications of religions, and the general characteristics of primitive religions. Professor Hopkins rejects both naturism and animism as the *prius* of religion, as the abstraction of spirit from body is beyond the grasp of primitive man. 'The object to which his grave mumblings of hope and fear are directed is neither god nor devil, nor a power of any sort as a person; it is rather the potency called *mana* or *orenda*' (p. 18). This potency the primitive man conceives not as one universal power diffused through the universe, but as inherent separately in everything animate and inanimate. To this attitude towards a spiritual world he gives expression through fear, entreaty, by means of dance and spell and memorial stones, which are the 'prototypes of churches'.

The study of the religions of Africa, of the Ainus, Polynesians and America give occasion for the discussion of fetishism, shamanism, taboo, mana and totemism, in all of which the author finds elements of permanent value which have been assimilated by the higher religions. Thus summing up his estimates of these basic elements of primitive religions he says in the Preface: 'Taboo invested with spiritual power the moral command, insured the home, and made for civilization; fetishism confirmed the thought that man depends on a spiritual something, gave faith in a power that helped, and made the power the judge of right and wrong; totemism linked man in communion with the divine and in conjunction with seasonal nature worship founded ritual in the recurrent form necessary to religious stability.' Then follows in succession, Celtic Religion; Religion of the Slavic Peoples; Religion of the Teutons; Religions of India. From the Vedas to Buddha; Buddhism; Hindu Sectarian Religions; Religions of China, Pre-Confucian Religion; Confucius, Tao-tse, Taoism; Religions of Japan, Shintoism and Buddhism; Babylonian and Assyrian Religion; Zoroastrianism; the Religion of Israel; the Religion of Mohammed; Greek Religion; the Religion of the Romans, and the Religion of Christ and Christianity. As has already been noted, the author has a good word for all the

religions, especially the advanced ones which have left literatures based upon religion: 'Zoroaster made religion ethical and spiritual; God is a spirit, not a nature god; God is good' (p. 378). 'Zoroaster is first to make public service a part of religion' (p. 382). 'Mohammed was the logical and historical successor of the old prophets of Israel'! (p. 452). 'The value of Mohammedanism lies in its influence with rude races. As it represented God to the Arabs, so to-day it is an effective means of betterment to those who stand on a low intellectual and ethical level . . . its monotheism stands in pleasing contrast with Hindu polytheism' (p. 481 f.). In the Greek religion he admires the 'union of ethics and metaphysics into a religion based not on superstition but on philosophy, not on faith but on logic, yet in which due place was given to emotion' (p. 514), while in the Roman religion the moral element is pointed out, 'The Roman at all times recognized a supreme directing Power, which was a moral force in his life and in that of the State' (p. 533).

The religion of Israel is discussed from the critical-evolutionistic standpoint, but with many reservations. The author does not even conceal his misgivings that the conclusions of the higher criticism with regard to the divisions of the Old Testament stories into various sections may not be conclusive (p. 428, note 4). While it is 'improbable that David imposed Yahveh on Israel after he had consolidated the Israelites by conquest', 'it seems historically reasonable to believe that Moses . . . united various tribes and made real an ideal not wholly unknown before, in that he gave Israel its jealous protecting national divinity' (p. 418), and 'a pronounced ethical trait is observable in Yahveh worship from the beginning' (p. 415). 'The purely speculative "interpretation" of the patriarchs as tribal heroes, local gods, or even as natural phenomena (this last, however, never deserved consideration), ignores traditional values and, apart from that, remains guess-work . . . We must at least avoid statements too positive and incapable of verification' (p. 418).

'Halaka and Agada' (Haggadah) are not clearly divided between Talmud and Midrash respectively, as might be inferred from

p. 447. There are large portions of Haggadah in the Talmud, in the Babylonian Talmud, which is the authoritative, more than one-third of its contents, and in the Palestinian or Jerusalem Talmud about one-sixteenth, and on the other hand, there are halakik Midrashim, as the Sifre, Sifra and Mekilta. Abraham Ibn Ezra is famous as a commentator of the Bible, but he has not composed a commentary on the Talmud. Nor does it seem quite accurate to designate Solomon Bar Isaac (Rashi) or any other Rabbi as special carrier-on of the chain of tradition (p. 448). Since the conclusion of the Talmud the Jewish community as a whole is the depositary of the Tradition. 'Hannukah or Chanuka is now interpreted as a feast of enlightenment' (p. 450). What is here meant by 'enlightenment', and who is the authority for this interpretation?

The few misprints noticed, p. 48, n. 1, for *latrio* *read* *latria*; p. 80 Xoonon, *read* Xoanon; p. 238, n. 2 *aqas*, *read* *aquas*; p. 318 *an*, *read* *at*; p. 348 Ninevah (*bis*), *read* Nineveh; p. 359, Ps. vi, 63, strike the 3; p. 446, n. 1 Dorsitheans, *read* Dositheans; p. 448 Tanaim, *read* Tannaim; p. 471, n. 1, 'halaika, *read* 'alaika, and effected, *read* affected.

Professor Hopkins's work is a valuable contribution to the literature on comparative religion. It is a good *repertorium* of sifted facts and well-considered interpretations of them for the serious scientific study of the religious phenomena.

There are short bibliographies at the close of each chapter and a satisfactory index.

I. M. CASANOWICZ.

United States National Museum.

THE TARGUM TO CANTICLES ACCORDING TO
SIX YEMEN MSS. COMPARED WITH THE
'TEXTUS RECEPTUS' (ED. DE LAGARDE)

By RAPHAEL HAI MELAMED, New York.

INTRODUCTION.

1. THE Targum, in its stage of oral transmission antedates the destruction of the second Temple,¹ but it was not until the third or fourth century that some of the books were committed to writing,² and certain versions received the sanction of the Synagogue. The time and place of the final redaction of the various versions in the several parts or books of the Scriptures, and their relation to one another, are still mooted questions. This much is certain, that the texts as we have them to-day, bear in

¹ Cf. Meg. 3 a, where tradition ascribes the origin of the institution of oral translation of the Scriptures into Aramaic, to Ezra. Cf. also Ned. 37 b, Jer. Meg. 74 d, Gen. R. 36, Sanhed. 21 b.

² The earliest official written Targum may probably be traced to Babylon, where the Onkelos T. was the first to receive the authority of the Rabbis. This Targum must have been written about the third century, since its Masorah dates from about this time. Cf. Bacher, *JE.*, XI, 58; A. Berliner, *Die Masorah zum Targum Onkelos*, Leipzig, 1877; S. Landauer, *Die Massorah zum Onkelos*, Amsterdam, 1896. There are, however, traces of a written Targum earlier than that, although not officially sanctioned. In the time of Gamaliel I, a Targum to the book of Job was brought to him, which he ordered withdrawn from circulation. This same Targum made its reappearance in the time of Gamaliel II. Cf. Shabbat 115 a, Tosephta Shabbat XIV, Jer. Shabbat 15 c, Maseket Soferim V, 15; see also Grätz, *MGWJ.*, 1877, 87, who maintains this to have been a Greek translation. Further, the statement made in the Mishnah, Yad. IV, 5 refers no doubt also to a written Targum.

their content the impress of successive ages and traces of varying linguistic influences.

2. The official Targum on the Torah, called by the name of Onkelos,³ is Palestinian in origin and dialect,⁴ but its final redaction and authorization took place in Babylon about the third century,⁵ where, as some believe, its vocabulary and grammar were slightly influenced.⁶

3. Parallel to the Onkelos, is the unofficial Jerusalem Targum I,⁷ of a mixed Palestinian and Babylonian

³ This name, which is based on the passage in Meg. 3 a, arose in the post-Talmudic period, through confusion of the Aramaic translation of Scriptures with the Greek version of Aquila. Cf. *PRE*.³, III, 106; *JE*., XII, 58; Buhl, *Kanon und Text*, 1891, p. 173.

⁴ Cf. Nöldeke, *Mandäische Grammatik*, p. 108; F. Rosenthal, *Beth Talmud*, II and III; Berliner, *Targum Onkelos*, p. 107. See also F. Hommel, *Theol. Littbl.*, 1902, col. 206, who maintains it to be a product of Babylon.

⁵ According to Berliner, Onkelos was compiled by the second century; Volck, however, places it in the fourth century, at the earliest. Cf. Berliner, *Targum Onkelos, passim*; *PRE*.³, III, 106.

⁶ Nöldeke, *Die semitischen Sprachen*, 1887, p. 32; *Die alttest. Lit.*, 1868, p. 257; *Mandäische Grammatik*, p. xxvii; Dalman, *Aram. Gram.*, p. 13; Bacher, *JE*., XII, p. 59.

⁷ This Targum is now known generally as Jerusalem Targum I. It also bears the name of 'Pseudo-Jonathan'. It was not universally known during the early Middle Ages, the following apparently being the only ones who knew of its existence: Sar Shalom Gaon (*Sefer Sha'are Teshubah*, 1858, 29 c), Hai Gaon (Harkavy, *Teshubot hageonim*, 124 f., 6 f., Berliner, *Targum Onkelos*, II, 173 ff.; *REJ*., XLII, 235). Citations from it are to be found in the Aruch (cf. Dalman, *Gram.*, 29 and 30), while Judah ben Barzillai and R. Meir of Rothenberg also speak of it (cf. Dalman, *ibid.*, and Bacher, *JE*., XII, 60). After the fourteenth century, this Targum was erroneously called Targum Jonathan, Menahem Recanati being the first to ascribe it to Jonathan ben Uzziel (cf. *JE*., XII, 60). This mistake arose no doubt from a wrong analysis of the abbreviation ת"י (= תרגום ירושלמי). Cf. also the Zohar (I, 89 a) which contains the statement that 'Onkelos translated the Torah, and Jonathan the *Mikra*'; it is most probable that '*Mikra*' here means the Prophets (Bacher, *l.c.*; *REJ*., XXII, 46), but that it was misinterpreted to mean the entire Bible, and hence the Pentateuch also (cf. Ginsburger 'Pseudo-Jonathan', p. vii). Cf. also Zunz, *Gott. Vor.*, 80 ff.;

dialect,⁸ the nucleus of which originated in Palestine, probably earlier than the Christian era,⁹ but whose final redaction did not occur before the seventh century.¹⁰

4. Linguistically very similar to Jerusalem Targum I, are two other Targumin on the Torah, the fragmentary Jerusalem Targum II,¹¹ and the Jerusalem Targum III in glosses.¹²

Dalman, *l. c.* We have the evidence of Azariah dei Rossi (*Meor Enayim*, ed. Wilna, p. 127) that he saw two manuscripts of a Targum on the Pentateuch that agreed in every detail, named respectively 'Targum Jonathan ben Uzziel' and 'Targum Jerushalmi'. The *editio princeps* (Venice, 1591) of this Targum was printed from the first mentioned manuscript, which bore the wrong title and perpetuated the wrong name.

⁸ Cf. Dalman, *Gramm.*, p. 32. There is evidence, likewise, that the Targum Onkelos exercised some influence over it.

⁹ Diverse opinions prevail among scholars as to the age of this nucleus. On the one hand it is claimed that there are elements antedating the Christian era and representing a Palestinian recension independent of the original of Onkelos. Cf. Nöldeke, *Die alt. Lit.*, p. 256; F. Buhl, *Kanon und Text*, p. 181; M. Ginsburger, *Jüd. Monatsschrift*, XLI, p. 349, note 2; Schürer, *Geschichte des jüd. Volkes*, I, p. 150; Bacher, *JE.*, XII, 61; E. König, *Einleitung in das AT.*, 1893, p. 100; Bacher, *ZDMG.*, XXVIII, 59 f. On the other hand, it is maintained that these elements are to be traced back to the original source of Onkelos, which was the parent of both, and furthermore, that the redactor of the Jerusalem Targum, while he used a recension of Onkelos current in Palestine, did not have access to a version of this Targum specific to Palestine. Cf. Dalman, *l. c.*, and *Worte Jesu*, I, 68 f.; Bassfreund, *Jüd. Monatsschrift*, XLIV, 481 ff.; *ibid.*, *Das Fragmenten-Targum zum Pentateuch*, Breslau, 1896; Lerner, *Anlage und Quellen des Ber. R.*, 64.

¹⁰ The Christian and Muhammedan religions are mentioned several times, and also the names of a wife and daughter of Muhammed. An African manuscript mentions the fall of Constantinople, 1453, but this must be an addition by a later scribe. Cf. Dalman, Bacher, &c.

¹¹ Dalman, *Gramm.*, p. 33; cf. Bassfreund, *Das Fragmenten-Targum zum Pentateuch, sein Ursprung und Charakter und sein Verhältniss zu den anderen pentateuchischen Targumim*, Breslau, 1896; Ginsburger, *Pseudo-Jonathan*, 1903

¹² Dalman, *Gramm.*, p. 29. These glosses bear the superscriptions,

5. Corresponding closely in vocabulary and grammar to the Onkelos Targum,¹³ is the Targum to the Prophets, which received official sanction only in Babylon, where its final redaction occurred in the fifth century.¹⁴

6. An official Targum to the Hagiographa never existed, but there are Targumic versions to most of the books,¹⁵ which are independent in origin and character. In content,

ת' ירושלמי, נוסחא אחריא, תוספתא. These have been published in early editions of the Pentateuch (Lisbon, 1491; Salonica, 1520; Constantinople, 1546; Venice, 1591. Passages parallel to Exod. 13. 17 and 14. 21 are also found in the *Mahzor Vitry*, 167, 305 ff.) and more recently by Ginsburger from manuscript sources (M. Ginsburger, *Das Fragmenten-Targum*, 1899, pp. 71-74; J. Bassfreund, *Das Fragmenten-Targum zum Pentateuch*, 1896, pp. 40-44 (reprints from the earlier editions); cf. further, H. Seligsohn, *De duabus Hierosolymitanis Pentateuchi Paraphrasibus*, I, 1858, p. 37 ff.; Perles, *Jüd. Monatsschrift*, 1876, p. 368 f.; A. Epstein, *REJ*, XXX, pp. 44-51).

¹³ Dalman, *Gramm.*, p. 16. This Targum was traced back by tradition to be the work of Jonathan ben Uzziel (Megillah 3 a). Luzzatto identifies this Jonathan with Theodotion, as Onkelos is identified with Aquila. As early as the time of the Babylonian Amora, Joseph bar R. Hiyya, it was generally accepted, and quoted with great frequency in the Academies (cf. Bacher, *Ag. Bab. Amor.*, p. 103). Hai Gaon apparently considered R. Joseph to be its author, but he was probably its earliest redactor (cf. *Aruch*, II, 293 a, 308 a). Cornill views this Targum as of greater antiquity than that of Onkelos, since it is more paraphrastic in character and free from anti-Christian polemics (Cornill, *Einleitung in das AT.*, 1893, p. 308). But this view is untenable since these qualities issue from the nature of the prophetic books which are more didactic than the Pentateuch, and from the total absence of anti-Christian polemics in the Babylonian schools (cf. Dalman, *l. c.*).

¹⁴ It seems probably certain that the redactor of this Targum had before him the Targum Onkelos (cf. the translations in Judges 5. 26 with Deut. 22. 5; 2 Kings 14. 6 with Deut. 14. 6; Jer. 48. 45, 46 with Num. 21. 25, 29); but opinion is divided as to whether the redaction is the product of one hand. There are numerous parallel translations and obviously later interpolations to be found (cf. Eichhorn, *Einleitung*, I, sec. 217; Berthold, *Einleitung*, II, p. 580).

¹⁵ There is naturally no Targum to Ezra, Daniel, and Nehemiah.

they vary from strict literalness to amplified Midrash, manifested on the one hand in the Targum to Proverbs,¹⁶ and on the other, in the Targum to the Five Scrolls.¹⁷ Linguistically, they are composite in character¹⁸ and their sources likewise are a mixture of very ancient material combined with later matter drawn from Palestinian and Babylonian literary compilations.¹⁹ Their redaction took place sometime between the fifth and eighth centuries. The Targum to Canticles, which is here published, was probably written in the latter period, there being traces of Arabic influences.

7. Finally, a Jerusalem Targum to the Prophets and Hagiographa also seems to have existed at some time,

¹⁶ This Targum agrees in major part with the Peshitta version, with which it probably shares a common source, cf. Nöldeke, in *Merx's Archiv*, II, 246 ff.; Baumgartner, *Étude critique sur l'état du texte du livre des Proverbes*, Leipzig, 1890, 267 ff.; Geiger, *Nachgelassene Schriften*, IV, 112.

¹⁷ It is interesting to note that there are three Targumim (cf. *Catal. Codd. MSS. Bibl. Bodl.*, I, p. 432; Eichhorn, p. 437) on the Book of Esther and that the Targum to this book is the only one of the Hagiographa books which is recognized by the Halakah, cf. Masek, Soferim, XII, 6. Some believe that Targum II on Esther is a Palestinian parallel to the first. Cf. Merx, *Chrest. Targ.*, ix; Bacher, *JE*, XII; Dalman, *l. c.*

¹⁸ Psalms, Job, and Chronicles are linguistically similar to the Jerusalem Targum to the Pentateuch, that is, they are of a mixed character and were produced about the same time. Cf. Bacher, *Jüd. Monatsschrift*, XX, 208; XXI, 408, who seeks to make these Palestinian in origin and of about the fourth or fifth century; see also Baethgen, *Jahrb. f. Prot. Theol.*, VIII, 447, 455 ff. Rosenberg and Kohler show that the ground-work of the Targum on Chronicles is as early as the fourth century, although its redaction did not take place until the eighth century; cf. *Geiger's Zeitsch.*, VIII, 72 f., 135 f., 263 f. It is interesting to note that Jerusalem Targum I and II are quoted in this Targum; cf. *PRE.*³, III, p. 110.

¹⁹ Dalman, p. 35. Cf. 5. 14, where the names of the precious stones in the breast-plate of the High Priest are mostly Arabic. Cf. also below, § 36. See further, S. Landauer, *Orientalische Studien*, pp. 505 ff.

of which at present only fragments and glosses are known.²⁰

8. With the invention of systems of vocalization,²¹ the consonantal text of the Targum, as in the Hebrew original, was provided with symbols fixing the pronunciation in accordance with the tradition locally prevalent. Three distinct types of vocalization are now known to have existed; (1) the so-called Tiberian²² system, or the sublinear, the only one known prior to 1839; (2) the Babylonian²³ system, or the superlinear, discovered in 1839; and (3) the Palestinian²⁴ system, also superlinear, which was discovered in 1894.

²⁰ Lagarde published marginal glosses of the Prophets from the Reuchlin Codex. Cf. *Prophetæ Chald.*, 1872, pp. vi-xlii; fragments from Joshua, Judges, Samuel, Kings, Isaiah, Jeremiah, Amos, Jonah, and Zechar., are found in this Codex. Some corrections from a manuscript are to be found in Baer-Delitzsch, *Liber Jerem.*, p. vi, note 1; cf. further, Bacher, *ZDMG.*, XXVIII, 1 ff.; Dalman, *Aram. Dialektproben*, p. 12. According to Kohut, the Aruk quotes from a Targum Jerushalmi to the Prophets and Hagiogr. Cf. Zunz, *Gott. Vort.*, p. 80 ff. But these are not always dependable and they may be only variants of the current Targumim. See Dalman, p. 29 f.

²¹ Cf. C. Levias, *JE.*, XII, 446 ff.

²² It is by no means settled that the names used for the vowel systems are accurate. They indicate at most the place of their usage rather than of their origin. Cf. Neubauer, *JQR.*, III, pp. 604-22; Margoliouth, *Transactions of the Ninth Congress of Orient.*, II, London, 1893; Nöldeke, *Mand. Gramm.*, Introd., p. 5; Barnstein, *Targum Onkelos*, pp. 6-7; Kahle, *Massoret. des Ostens*, Leipzig, 1913, pp. 204, 157 ff.

²³ Three distinct types have been distinguished in the development of this system: (1) the simple type as shown in Targum MSS. and Neo-Hebrew texts; cf. Merx, *Chrestomath. Targum*, p. xv; Margoliouth, *Proceed. Society Bibl. Arch.*, XV, p. 165 ff.; Praetorius, 'Über das Babylon. Punkt. des Hebr.', *ZDMG.*, LIII, 181-96; Friedlander, *Monatsschr.*, 1894, 215. (2) The complex or composite type found in Codex Petropolitanus dated 916, Berliner, *Festschrift*, pp. 18, 30. (3) The type exemplified by the Berlin MS. Or. qu. 680; Friedlander, *JQR.*, VII, 564 ff.; *Proceed. Soc. Bibl. Arch.*, 1896, pp. 86 ff.; Kahle, 'Beiträge zur Geschichte der Hebr. Punkt.', in *Stade's Zeitschr.*, XXI, 273 ff.

²⁴ Until all material shall be made available, the varying stages of

9. It is probable that these various systems of vocalization influenced one another to some extent, and that in the form we now know them, do not represent the original character of their respective types.²⁵

10. The Tiberian system of punctuation, it seems, was not originally adaptable for Aramaic texts.²⁶ Hence it is quite probable that in the earliest texts of the Targum supplied with vowels, the superlinear system was used, and that with the more universal usage of the sublinear system the former was transposed into the latter.²⁷

11. Some internal evidence as well as external testimony points to this fact. A comparison of the text of the Targum, as contained in the Sabbioneta edition,²⁸ with the genuinely Babylonian MS. Or. qu. 680, strikingly reveals their common source of origin. Notwithstanding the many corrupt forms it contains, the Sabbioneta text shows all the ear-marks of a Babylonian or superlinear punctuation.²⁹ The same may be said of the Parma MS. de Rossi, No. 7.³⁰

12. Furthermore, an explicit statement is found in the Codex de Rossi, No. 12, of the Parma Library, that it was transcribed into the sublinear system from a copy pointed with superlinear vowels.³¹

development in this system cannot be definitely fixed. It may be assumed, however, that the still unpublished Genizah Fragments are of the oldest type. Kahle, *Der Masoretische Text*, p. 29, note 1. An intermediate stage was published in C. Levias's article in the *AJSL.*, XV, and in the text of Neubauer, *JQR.*, VII, 361 and Kahle, *Stade's Zeitschrift*, XXI, 273, the third stage is presented.

²⁵ Kahle, pp. 157, 158.

²⁶ *Ibid.*, p. 204.

²⁷ *Ibid.*

²⁸ Berliner, *Targum Onkelos*, I.

²⁹ Kahle, p. 205 ff., Berliner, *Targum Onkelos*, II.

³⁰ *Ibid.*, Berliner, p. 132 f.

³¹ Cf. Kahle, 205, H. L. Strack, *Zeitschrift f. d. Luth. Theol. u. Kirche*, XXXVI, 1875, p. 622. Berliner, *Targum Onkelos*, 134.

13. Thus it appears that the superlinear vocalization is probably the oldest known in the Targum texts, and that this system, due to its gradual disuse, was changed into the one common now.³²

14. This transposition of the Targum vowels led naturally to inaccuracies and mistakes, which multiplied in proportion to the number of new manuscripts written and new editions published. Elias Levita, in his Introduction to the Meturgeman, laments the confused state of the Targum texts, and the multitudinous variations in vocalization which then existed. He, as well as Buxtorf and others, proposed to bring some order into the chaos by correcting these texts on the basis of Biblical Aramaic.³³ This was done to some extent,³⁴ but the method possesses no scientific value.³⁵

15. Such was the state of Targumic texts until the discovery of the Yemen MSS. threw a flood of light upon this department of Semitic learning, and stimulated active research therein. These MSS. have proved of invaluable

³² It is at present impossible, with the evidence available, to come to a final judgement in this matter. It may be that the Tiberian system of punctuation was originally employed for Targum texts in those localities where it prevailed for Hebrew, and that we have to-day an independent Tiberian tradition in these texts. But this cannot be settled, as Lagarde has pointed out, until all the pure Tiberian manuscripts shall have been carefully studied and compared. Cf. Lagarde, *Mitteilungen*, II, 174. And even if this should be conclusively established, which seems dubious (cf. Kahle, 204), nevertheless, the worthlessness of the current Tiberian Aramaic texts is established beyond doubt.

³³ Berliner, p. 185 f.; Merx, *Chrest.*, viii; *idem*, 'Bemerkungen über die Vocalisation der Targume', *Verhandlungen des Fünften Internationalen Orientalisten-Congresses*, 1881, I, p. 159 ff. Mercier and others corrected the Targum on the basis of Syriac.

³⁴ *Idem*.

³⁵ Merx, *Chrest. T.*, viii ff.

aid in the reconstruction of the Targumic text and its grammar, which Levita despaired of producing with the material then available.

16. Numerous works have already been published upon the basis of these Yemen MSS.

(1) Merx published a goodly number of excerpts from MSS. in the possession of the British Museum, covering sections of the Pentateuch, the Prophets, and the 'Dream of Mordecai'.³⁶

(2) Prätorius has published the Targum to Joshua³⁷ and Judges³⁸ after Berlin codices.

(3) Dalman used for his Grammar, Aramaic Dictionary, and Specimens of Aramaic Dialects, Prof. Socin's MSS. and codices in the British Museum.³⁹

(4) Barnstein used for his work on the Onkelos to Genesis a MS. of the British Museum, a Montefiore codex, and a MS. belonging to Dr. M. Gaster.⁴⁰

(5) The complete Targum to Onkelos was published by the Yemenite Jews, with vowels transposed into the sublinear system.⁴¹

(6) Wolfson published from a Berlin MS. the first twelve chapters of the Targum to Jeremiah.⁴²

(7) Silvermann issued the first ten chapters of the Targum to Ezekiel from the same source.⁴³

(8) Alfred Levy published the Targum to Koheleth based upon British Museum MSS. and a Gaster codex.⁴⁴

³⁶ Porta Linguarum Orientalium, VII, Merx, *Chres. Targumica*, Berlin, 1888.

³⁷ *Das Targum zu Josua in Jemenischer Überlieferung*, Berlin, 1899.

³⁸ *Das Targum zum Buch der Richter*, Berlin, 1900.

³⁹ *Aramäisch-Neuhebräisches Wörterbuch*, Frankfurt a. M., 1897-1901.

⁴⁰ *The Targum of Onkelos to Genesis*, London, 1896.

⁴¹ *The Torah*, Jerusalem, 1894-1901.

⁴² Halle, 1902.

⁴³ Strassburg, 1902.

⁴⁴ Breslau, 1905.

(9) Kahle issued numerous extracts of the Targum based upon codices in Cambridge, Oxford, and Petrograd.⁴⁵

17. The following edition of the Targum to Canticles is based on six manuscripts of Yemen origin, and on the text contained in Paul de Lagarde's *Hagiographa Chaldaica*. The texts, hitherto current, were reprints of the *Editio princeps*, issued by Bomberg in Venice in 1517, into which numerous errors and corruptions have naturally crept. While the Lagarde edition re-established the original Bomberg consonantal text, no attempt has yet been made to compare this with the text current in Yemen, nor has any effort been made to establish its vocalization.

The following manuscripts have been used in the preparation of this work:

A.

18. MS. A is part of Or. 1302, in the possession of the British Museum. The Targum of Canticles covers fols. 154 a-186 b. A photographic reproduction, three-quarters of the original size, is in the possession of the Dropsie College.⁴⁶

The writing is in clear square characters, twenty-four lines to a page, and measures, without margins, $5\frac{1}{2}'' \times 3\frac{3}{4}''$. The Hebrew verses are each followed by the Targum, an Arabic translation of the Hebrew verse, and

⁴⁵ Kahle, *Masoroten des Ostens*, Leipzig, 1913.

⁴⁶ I take this opportunity of thanking Dr. Cyrus Adler, President of the Dropsie College, for securing and placing at my disposal the photographs of MSS. A, B, E, and F. I also wish to express my indebtedness to the authorities of the British Museum, and of the Bodleian Library for their kindness in permitting these photographs to be made. I am likewise under obligation to the Rev. G. Margoliouth of the British Museum, and to Dr. A. E. Cowley of the Bodleian Library, through whose kindness I secured these reproductions.

by an Arabic commentary. In the Hebrew text both the Raphe sign and the dagesh are employed, while in the Aramaic the Raphe sign usually occurs over the letters **ת נ ד כ ה**. **ש** is diacritically marked.

B.

19. B is an Oxford MS., 2333 MS. Opp. Add., a photograph of which is in the Dropsie College. There are thirty-eight leaves in the photograph, the last seven of the original MS. having been omitted since they contain only the Arabic commentary.

The writing which is in square characters, covers $4\frac{1}{2}'' \times 2\frac{3}{4}''$, and contains generally twenty-six lines to a page.

The Hebrew verse is followed by the Targum, and by an Arabic translation and commentary. There are generally Raphe signs over the letters **ת נ ד כ ה**, as well as a diacritical mark over the **ש**. In the Hebrew text both the Raphe sign and the dagesh is used.

The MS. contains many marginal notes which cannot be deciphered from the photograph. On the margin of 13^r, 20^r, and 21^r some Rabbinic explanations of the text are found.

C.

20. MS. C, which dates from the sixteenth century,⁴⁷ belongs to the Jewish Theological Seminary of America, and came from the collection of Judge Mayer Sulzberger, who presented it to the library of that institution. It consists of thirty-one heavy paper leaves, $8'' \times 5\frac{3}{4}''$, written on both sides.⁴⁸

⁴⁷ Cf. A. Marx, *JQR.*, New Series, I, 65, 66.

⁴⁸ I take this opportunity of thanking Prof. A. Marx, the librarian of the

The writing which is in clear square characters covers $6 \times 4\frac{1}{2}$ " of each page, thus allowing ample margins on all four sides, except on the inner, where the binding materially reduces it.

There are generally seventeen lines to a page, occasionally, however, eighteen or nineteen. The edges are considerably worn out and crumbling, while the corners have been rounded off by wear. Leaves 25-8 inclusive were bound in reverse order.

The MS. ends at 8. 8 after giving two lines of the Targum. On 29^a some later hand wrote the concluding Hebrew verses of the book, 8. 9-14, with a massoretic note on the margin. One leaf in the middle, which contained the Hebrew and Targum of 7. 9-12 inclusive is also missing. The Hebrew and Targum of 3. 2 having been omitted in their proper place are inserted after 3. 5. Some later hand, however, wrote the Hebrew of 3. 2 in the margin after 3. 1.

Pages 1^a, 1^b, and 2^a contain an Arabic introduction written by a different hand. Each Hebrew verse is followed by its Targum and a literal Arabic translation of the Hebrew.

There are numerous marginal readings and superscriptions by two or three different hands, one of which is in a bad scrawl. A number of the marginal readings coincide with L, and appear to be corrected from it.

The inner margins in a number of places, and the upper left-hand portion of the last page, are so worn out that the writing cannot be deciphered.

The Hebrew text generally has a Raphe sign over the

Jewish Theological Seminary of America, for placing this manuscript and the following one at my disposal.

letters **ב נ ר כ פ ת** **ש** both in the Hebrew and the Targum is diacritically marked. A dagesh lene and dagesh forte are frequently found in the Hebrew words. These were inserted, sometimes by the original scribe, and sometimes by a later hand. A later hand pointed with sublinear vowels, and also inserted musical signs over many of the Hebrew verses.

In the Targum, the letters **ב נ ר כ ת** frequently have the diacritical Raphe sign, while occasionally a dagesh is also found.

D.

21. MS. D,⁴⁹ likewise belongs to the Jewish Theological Seminary of America. It is fragmentary in character, containing only eleven leaves, measuring $8" \times 5\frac{1}{2}"$, written on both sides of heavy paper. Each side contains fifteen lines in a hand that is clear, but neither as fine nor as firm as C.

The fragment begins in the middle of the Targum of 1. 1, and continues to 2. 2. Only a few words of the Targum to this verse are given, when it breaks off to resume in the middle of the Targum of 7. 9. Continuing from this point until it reaches the Hebrew verse of 8. 2. the fragment ends.

Each Hebrew verse is followed by its Targum. Excepting an occasional dagesh in a Hebrew word there are no diacritical points of any kind. Some Hebrew words are pointed with sublinear vowels, and supplied with a few musical accents. Several words omitted in the text are placed in the margin.

⁴⁹ Cf. *JQR.*, New Series, I, 65.

E.

22. MS. E, is part of Or. 2375 in the possession of the British Museum. The Targum covers foll. 168^b–184^b. A photographic reproduction, three-quarters of the original size, is in the library of the Dropsie College.

The writing is in clear, square characters, in double column, twenty-four lines to each, and measures $7\frac{3}{4}'' \times 5\frac{1}{2}''$. On the margins is a massora parva, and at the bottom of each page a massora magna.

The Hebrew verses are pointed with sublinear vowels, and supplied with musical accents. A horizontal line over the letters ה פ כ ב נ indicates the Raphe sign, which line is also found over the letters ה and א. ש is likewise distinguished by a diacritical point. The dagesh is constantly used both in the Hebrew and Aramaic text.

The Hebrew verse is followed by the Targum, and by an Arabic translation of the former. The MS. frequently begins a word at the end of a line, and repeats the word, or part of the word, on the line following.

F.

23. MS. F is part of Or. 1476 of the British Museum, and covers foll. 1^b–27^b. A photographic reproduction is in the library of the Dropsie College.

Except that this MS. is poorly written, and in many places blurred and illegible, it is almost identical with E. The writing measures $4\frac{3}{4}'' \times 3\frac{1}{2}''$, and contains seventeen or eighteen lines to a page.

24. An analysis of the various texts reveals an essential difference between all the Yemen MSS. on one hand, and

the Lagarde text on the other. Apparently there are two underlying recensions, both of which have attained their present form independently of one another. These variations include independent readings, morphological and syntactical differences.

25. While it must be admitted, at the outset, that, on the whole L preserves a superior consonantal text, there are numerous independent readings and constructions in the MSS. which establish beyond question a different archetype and origin.

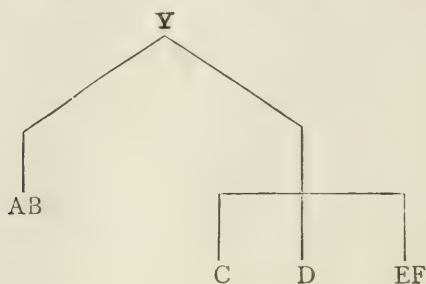
26. While all the MSS. form one group among themselves as opposed to L, they are by no means uniform in their readings. Indeed, a casual analysis of their respective texts reveals special affinities among several of them.

The six MSS. divide themselves into four distinct groups, all bearing the characteristic stamp of their common origin, but each possessing features peculiarly its own. Thus, A and B bear characteristics distinctively their own, and form one family group, while E and F are likewise especially and peculiarly related one to the other. Of course differences exist between A and B and E and F respectively, but most of these are traceable to individual peculiarities of their scribes. C stands apart, representing a group all its own, while D, though fragmentary, likewise possesses features distinctive to itself.

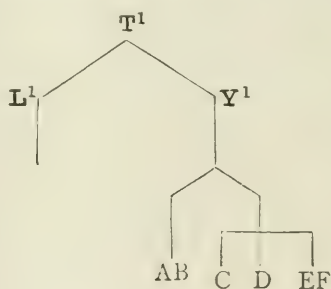
The frequency with which C contains readings peculiar to EF would indicate that it is more intimately related to that group than to AB. And likewise D possesses stronger affinities with both C and with EF than with AB. The fragmentary character of D, however, precludes any positive conclusions.

If we represent Y as the original Yemen text, as

distinct from the text of **L**, the following diagram would portray the various groupings of the MSS.:



And if **T**¹ is made to represent the original Targum of Canticles and **L**¹, the original archetype of **L**, the following diagram would represent the grouping:



CHAPTER I

TEXTUAL VARIANTS

A. INDEPENDENT READINGS.

27. Convincing testimony for two independent recensions of the **L**(agarde) and **Y**(emen) texts, mentioned above, is to be found, for example, in the independent readings in 4. 12, in which the variants are scarcely to be accounted for, save on the ground of independent, original versions. **L**, וּבְחֹלְתִיךָ טָמִירָן וּנְטִיין בְּאַנְפִּילָין וַחֲתִימָן בְּכֵן כַּמְבוּעַ דְּמִין, While all of the Yemen MSS. are not uniform in their readings, their differences are only slight, and such as would be expected in MSS. coming from the hands of different scribes.

28. In 4. 11, we also have what appears to be independent readings of **L** and **Y**. וּבְעִידָן דְּמַצְלִין כְּהֵנִיא בַּעֲזָרְתָּא דְּקוּדְשָׁא זֶלְחָן סְפֻתְהוֹן יַעֲרָת דּוּבְשָׁא וְלִישְׁנִיךָ נִנְפִי צִנְעָא בְּמַלְלוּתִיךָ שִׁירִין וַחֲוִשְׁבַּחךָ מִתִּיקִין כַּחֲלָב וּדְבֶשׁ וְרִיחַ לְבוּשִׁי כְּהֵנִין כְּרִיחַ אוּלְבָּנִין. Apparently the reading of **L** זֶלְחָן 'to distil' is better than וַחֲוִשְׁבַּח in **Y**.

29. In 5. 13, curiously enough, the same variants are to be found, the former having זֶלְחָן, while **Y** has וַחֲוִשְׁבַּח. There is a strong possibility that the archetype of **Y** did not understand the rarer word זֶלְחָן, and substituted the more common וַחֲוִשְׁבַּח for it. Then again the Hebrew texts in both places, נֶפֶת תִּטְפֶּנָּה and נִטְפוֹת 'to distil' or 'to drip', would seem to require in its Aramaic paraphrase some such word as זֶלְחָן. The text of **Y**, however, is clear, and points back to an independent version.

30. A further illustration of the independent versions of
VOL. X. D d

L and **Y** is found in 4. 9. **L** קביע על לוח לבי רחימתך אחתי כנשתא דיישראל דמתילא לנינפי די היא צניעא קביע על לוח לבי חיבת זוטרי די בניך די הוא צדיקא כהד מן רבבי סנהדרין וכחד מן מלביא רבית יודא דהות יחיבא כלילא דמלכותא על צווריה. The text of **Y** is apparently defective here, all the Yemen MSS. omitting the first clause. The Hebrew text which repeats קביע על לוח לבי, seems to require the double passage. The scribe of the original Yemen version probably allowed his eye to wander in transcribing this verse, and inserted the phrase לנינפי דהיא צניעא קביע על which belongs to the omitted clause, in the wrong place. The reading of **L** צדיקא די בניך was corrupted in **Y** to רבניך, which also omits צדיקא. The text of **L** thus seems to be better preserved, although it is not beyond possibility that the shorter text of **Y** may have been the original reading. At any rate, the uniformity of all the MSS. of **Y** show that they belong to one and the same recension, different to that underlying **L**.

31. There are, moreover, other differences which point to these independent versions. Thus in 5. 4 the variations in reading considerably alter the sense of the passage. Thus: כד אתגלי מן קדם יהוה דעמא בית ישראל לא צנן למחרט ולמיתב לותיה. It is difficult to say which reading is to be preferred. Both give good sense, but **L** seems to connect with the previous verse, 5. 3, slightly better than **Y**.

32. Likewise in 1. 8, the two versions show material difference in the thought expressed. אבעיא להון לממחי גלותא בנישתא. It is possible that **L** has an independent text, but since the context requires some such text as **Y**, it seems more likely that the latter is the correct and more original reading. The variants in **L** can then be accounted for through scribal error. לממחי was probably למחמי; and a later hand found it necessary to correct לך להון.

33. Further illustrations of this divergence between **L** and **Y** are shown in the following passages: 1. 1 עסרתי 1. 1 שירחא אתאמרו בעלמא הדין שירא דין משבח מן כולהון ; 1. 1 בני גלוחא בעדין דיפקון מגלוחא 1. 1 ;⁵⁰ ועליאת חנה בנבואה ואמרת מן 1. 5 ; בעידן דהו יתבין עמא בית ישראל 2. 8 ; ואהי עסיקא 2. 5 ; אתגלית עליכון רחמתכון 5. 8 ; טובא ראתעתר לכון.

34. In 5. 14 **L** and **Y** differ essentially in the order in which the names of the tribes are given, as well as in the names of the precious stones on which the names were engraved : (5) אישר (10), נר (9), נפחלי (8), דן (7), זבולן (6), ישישכר (5).

35. The names of the precious stones differ almost entirely, those of **Y** agreeing with the Hebrew text in Exod. 29. 17 ff. and 39. 10 ff. The names in **L** are apparently Arabic equivalents of the Hebrew :⁵² (1) אחמר⁵³ (كحل),⁵⁴ בחלי (4), (زعفران) ברקן ועפרן (3), (عقيق) עקיק (2), (أحمر) (أصفر) אספור (8), (بلور) בירלא (7), (جوهر) גוהר (6), (زمرّد) אומרנד (5), אפנטור (12), מריבנ (11), (فسروزج) פירוזג (10), (طوفاج) טבאת (9). ABC have margins or superscriptions giving other names of precious stones in place of those in the text. AB have ten such substitutes, three of which agree with **L**, while C has all its ten substitutes agreeing with **L**. EF have no corrections.

36. A further divergence between **L** and **Y** is to be noted in : 5. 14 גלילן על ציין כלילא דרחבא דקודשא גליפן על תרי 5. 14

⁵⁰ Cf. T 1 Sam. 2. 1 ברוח נבואה ואמרת.

⁵¹ **L** and **Y** agree as to the other six names, all reading : (1) ראובן, בנימין (12), יוסף (11), יהודה (4), לוי (3), שמעון (2), reverses the order of (5) דן and (6) ישישכר of **Y**. It is noteworthy that **L** follows the order of the names given in T J Exod. 39. 10 ff., but **Y** agrees with none of the orders recorded in the Pentateuch.

⁵² Cf. S. Landauer, *Orientalische Studien*, pp. 505, 506.

⁵³ AB agree with **L** and write אחמר.

⁵⁴ AB read נופך כוחלי.

יבהיה יומא אנא פלחא למרי עלמא רחימי 3. 6.⁵⁵; עסר מרגליתא
ובחין אף אנא לחנניה מישאל 9. 7.; ורחימי אשרי שבינת קודשא בני
ועזריה.

37. The differences cited below are mostly in individual words which continue to bear out the impression that **L** and **Y** are independent in their text origin. 1. 1. ברוח נבואה; 1. 9. ננניתא;⁵⁶ 2. 1. כמא יאון עובדך ברתי חביבתי 1. 15.; מוי דימא 1. 9.; 2. 16. חזויד;⁵⁷ 2. 14. לגלמתא; 2. 8. מפשר; 2. 5. פתנמי דיהוה; 2. 5. משתלחין 4. 12.; כמה יאון 4. 2.; בני כנישתך 4. 1.⁵⁸; גוברין צדיקיא נהירין 5. 14.; כאנפי 5. 11.⁶⁰; שמועין 5. 10.⁵⁹; אתגלגלו 5. 4.; לנזה אלכסנדרוס מלכא עליהון 6. 8.; דוכסין 6. 8.⁶¹; ואסיקנון 6. 2.; בעששית דשליט 7. 11.; למקרביה 7. 6.; כנוהרין 7. 2.; ומה טיבכון 7. 1.; לרישא ואי מתכנפין 8. 7.; דאינון סניאין 8. 7.⁶³; למיפק 8. 4.⁶²; בחדיא 8. 1.; ואפילו אי מסכינא היא 8. 9.⁶⁴; דמלילו 8. 8.⁶⁵

B. FULLER READINGS.

38. In the following passages **L** preserves fuller readings than **Y**. Most of these appear to be additions or expansions made by a later hand. These apparent additions of **L** are placed in brackets: 1. 9. [וחיילותוהי] רתיכוהי; 1. 10. [ובעידן 2. 2.]; [בי היא זימנא] אמר יהוה 1. 13.; על [קדל] תורא כל [דרא] אינשי 2. 7.; די אנא סטיא מן אורחא דתקנא קדמוי] ואיהוא בית מוקדשא הדין [ראתבני לי 3. 7.]; [ועמא בית] ישראל 3. 4.⁶⁶; קרבא

⁵⁵ Curiously enough **A** has the same reading as **L** (excepting דרהבא דקודשא which **A** reverses in order). This reading seems superfluous. It probably was originally a gloss which later crept into the text of **L**. Some later hand corrected **A** from **L**.

⁵⁶ Cf. Hebr. text.

⁵⁷ **Y** nearer Hebr.

⁵⁸ **Y** is better = 'heroes'. **F** reads גוברי.

⁵⁹ **Y** somewhat better. Cf. **T** 2 Kings 17. 6.

⁶⁰ שמעתן, unusual pl.; correct form is שמעתא or שמעתתא.

⁶¹ Cf. 8. 4.

⁶² **Y** nearer Hebr. text.

⁶³ Cf. 6. 2.

⁶⁴ **L** is better; cf. Hebr.

⁶⁵ Cf. Hebr.

⁶⁶ Cf. Deut. 2. 14; 2. 16.

לוחי אבניא [די אצנע תמן משה 3. 10; על ידיו במלכא שלמה בר דוד]
 [חנא דמטללתא דעבד שלמה מלכא בעידנא ההיא ית] 3. 11; [בחורב]
 5. 13; רברבי [כנישתא] 4. 1;⁶⁷ חנא דמטללתא ארבעה עשר יומין
 [בסנדלין] [דססנונא] 7. 2; עממיא [ולישנייא] 6. 8;⁶⁸ דקדוקין [וטעמין]
 ופליג ⁷⁰ עמיה 8. 11;⁶⁹ ויימרון [ליה] 8. 1; [דמכי] מיתאי 7. 10
 [מלכותא].

39. In the following passages it is difficult to say whether the fuller readings of **L** are expansions of the original or whether the shorter readings are abbreviated forms of what originally were fuller: 1. 1 למפטר [זמניה] אתא; 1. 1 [גדפי] עננא יקרא [דיהוא] 2. 16; [דהכדין כתיב] שירא הדין 1. 1; סטר 4. 16; פלח [וצלי] קרם יהוה 3. 6; [לארעא צדיא] [וריקניה] 3. 5; [צדיקין] ועסיקין 6. 12; מרהב [וכסף] 5. 16; דרומא [הות] בוצינא; 7. 6 [בצלן] 7. 8; קנאתא [למרי שמיא] 7. 6.

40. There are a few passages in which **Y** is fuller than **L**. They are mostly of little consequence: 1. 4 **Y** * * * אמרו איכדין יתפרנסון 1. 7; [עמא] בית ישראל 1. 5; [קרם] ריבון כל עלמא; 1. 12; [בל] עלמא 1. 12; גלות כנשתא דישראל 1. 8; [ואיכדין] ישרו; 2. 16; [עמא] בית ישראל 2. 15; [עמא] [בית] ישראל 2. 14; 4. 14; [בית] ישראל 3. 6; אנא קיימית [במימרי] 3. 5; [צדיקי] [דרא] 6. 9; ענת כנשתא דישראל [ואמרת] 5. 3; [עם כל] מיני [שבח] בוסמי; 6. 9; [דעלמא] למריה.

C. EXPLICIT READINGS.

41. There are a number of cases in which the text of **L** is more explicit than that preserved in **Y**. It is hardly possible to say which are the original readings. 1. 1 קרם אעיל יתי 2. 4;⁷² הוה [נפק] ריחיהון 1. 12;⁷¹ [יהוה] תקיפא דישראל; 2. 16, 5. 10 [דיהוה] 2. 14; [יהוה] לבית

⁶⁷ Cf. T 1 Kings 8. 65. **L** appears to be a gloss.

⁶⁸ **L** reading unnecessary.

⁶⁹ **L** smoother.

⁷⁰ AB erroneously write עליה.

⁷¹ Cf. T Isa. 30. 29 קרם תקיפא דישראל.

⁷² Cf. 7. 9.

מלאכי 8. 8; יצחק [ברית] 2. 17; עבדו . . . ענלא [דרהבא] 2. 17 [שמיא].

42. **Y**, too, has a number of explicit readings not contained in **L**. 1. 6 אֱלֹהֵי; 1. 8 מלכא משיחא [להון]; 2. 12 לאברהם [אבוכון]⁷³; 4. 1 וחסמיא [דישראל]; 5. 2 ומסר; קבילית [ברעוא] ית קטורת בוסמין 5. 1; [י"י] יתהון אברהם [אבוהי] 7. 9; [רישי] אוריתיה 5. 11; [י"י] יתהון.

43. **L** has a fondness for full names, for specific titles, and for exact localizations which **Y** almost consistently omits. 1. 9 ימא [דסוף]; 2. 15 יעקב [אבונא]; 3. 4, 5 למשה; 3. 6 דיהושע [בר נון מישומניה]; 3. 4 דמישה [רבחון]; 3. 4 [נביא]; 3. 6 [מלכא] שלמה 4. 1; 3. 7 [דישראל] שלמה מלכא; 3. 7 יהושע [בר נון] אבהת תלתא 5. 14; 5. 7 דצדקיהו מלכא [דיהודה] 5. 7; 5. 4 בלשם [דן] 5. 4; 6. 2 [דעלמא] שלמה [מלכא בירושלם] 6. 4; 6. 4 וורובל [בר ישאלתיאל] 6. 2; 8. 12 שלמה [מלכא] 8. 12.

44. There are two instances, however, in which **Y** preserves fuller titles than **L**. 2. 7 משה [ריבכון דישראל]; 8. 13 שלמה [נביא].

D. ORDER.

45. In the following passages the order of certain phrases in **L** differs from the order preserved in **Y**. Most of these passages, however, retain a better sequence in **Y**. 1. 1 וחילותוהי רתיכוהי ופרשוהי; 1. 9 פתחו ואמרו כחדא 1. 12; 75 דיאי ומשבח אתרונא 2. 3; ועבדו ענל דרהב ועירברובין די ביניהון 2. 8; 4. 16 אמרת 4. 16; 5. 9 כד שמעו 6. 1; 76 רחמין עלויהון 5. 15; 76 5. 15 בעיא . . . אנת צביא על חוטריא 7. 6; ירחין ורישי שנין 7. 5; 6. 9 קרבא 6. 9; וכן אמרו

⁷³ **Y** nearer Hebr. cf. Exod. 32. 15.

⁷⁴ Cf. Josh. 19. 47.

⁷⁵ Only **C^{mg}** writes אתרונא; **Y** uses מטרונא which is wrong.

⁷⁶ **C** apparently agrees with **L**, although it does not preserve the full text. Cf. 5. 9, &c.

וערק מן קדם שלמה ואול 8. 12 ; מלבא שלמה 7. 7 ; ברהטוא
אשמיעני אורייתא קל מיליך 8. 13 ; למצרים

E. VERBS.

46. In the cases cited below **L** and **Y** use different but cognate verbs. Thus in 1. 16, **L** reads פיישין, Pael pt. act. of the root פיש, while **Y** has פשן from root פשי.⁷⁷ In 6. 2 **L** has דמנב from the root נבב to collect, gather (flowers, &c.), **Y** דמנבין from the root נבי, which, while having the same meaning, is used generally of debts or taxes. In 6. 9 **L** ואחידא a pt. pass., meaning 'to be devoted to', in **Y** is found as ויחידא from the root יחד.

F. SUFFIXES.

47. In the following passages **L** differs from **Y** in having nouns in the absolute form, while **Y** appends some personal suffix. Thus in 1. 3 לעמא בית ישראל ; 1. 6, 4. 16 אלהיא ;⁷⁸ 4. 10 בוסמנין ; 5. 2 בגלותא ; 6. 2 בריה רחימא ; 7. 6 אלהיא ; 8. 9 נטיר לכרמא 8. 11 כספא ;

In the following passages **L** has personal suffixes attached to nouns which **Y** omits. Thus 1. 6 טעותכון ; 1. 13 עמך ;⁷⁹ 3. 5 אוריתי ; 4. 7 דעמך ; 4. 10 דצדיקך ; 4. 12 ונשיך ; 5. 1 מקרשי ; 5. 13 חכימוי ; 6. 5 זעמוטיך ; 7. 5 דיניך ; 7. 8 לעמיה ; 8. 1 ארעי ; 8. 4 עמי ; 8. 7 לעמיה.

G. NUMBER.

48. In the following passages, while it is immaterial whether we read sing. or plur. in the text, **L** differs from **Y** in number: 1. 4 בשיפולא ; 2. 5 פתגמי ; 2. 9 ובטירין ; 4. 12 בוצינא ; 4. 16 בוצינא ; 7. 8 כאתכלא ; 7. 13 כרימנא ; 8. 7 דננדא.⁸⁰

⁷⁷ Although **C** has פִּשִּׁין and **E** פִּשִּׁין, they also are derived from פשי.

⁷⁸ Cf. 7. 6.

⁷⁹ Cf. Onk. Exod. 32. 7.

⁸⁰ **L** refers to דנהרא, **Y** to למוי.

GRAMMATICAL VARIANTS

49. Difference in orthography, phonetics, morphology, and syntax are also to be noted between **L** and **Y**. While each variant taken by itself would not prove significant, the sum total of their differences bear out the impression that the Yemen MSS. issue from a source independent of **L**.

A. THE ORTHOGRAPHY OF **L**.

50. Characteristic of the orthography of **L** is its decided preference for final ה. It writes מה and כמה almost invariably, but occasionally we find a final א, as in שבעא, שיתא. Further, **L** prefers to use י" to י; thus we have בניין, משריתיה, נביא, דמליין, יהוין.

B. PHONETICS.

1. *Consonants.*

51. The following consonantal differences are to be noted between **L** and **Y**: 8. 5, **L** רבבן, **Y** ריבן;⁸¹ 7. 6, **L** באפילין, **Y** באנפילין; 4. 12, **L** ברהטיא, **Y** ברטיא.

2. *Vowels.*

In half or completely closed syllables ä is changed to ě or ĭ, as, 2. 5, **L** איתסי, **ABE** אַתְסִי; 8. 11, **L** בעירביה, **Y** בַעֲרֵבִיָּה. When followed by a labial ĭ becomes ū, as, 1. 7, **L** כחומתא, **Y** כַחְמֻתַּא. Ū or ō is changed to ī in 4. 14, **L** מירא, **Y** מוֹרָא or מוֹרָא.⁸² In 5. 13, likewise, **L** has כמירא and **Y** כמורא.

⁸¹ C erroneously pointed the word רִבָּן. **L** is probably correct; cf. G. Dalman, *Grammatik des Jüdisch-Palästinischen Aramäisch*, Leipzig, 1905, p. 104; hereafter abbreviated 'Gr.'.

⁸² Probably מוֹרָא is the better form; cf. play on מרדכי = מרא דכי, T 2 Esther 2. 5.

C. MORPHOLOGY.

1. *Verbs.*

52. Peal; Pf. 3 m. s. A number of instances of forms with י are found in L which Y omit: 1. 14 וקטיל; 3. 10 ופריש; 6. 8 ובנישו; 8. 7 יהיב. Pt. act. f. s.: 8. 13 ויתיבא. Inf.: L writes regular form with מ, but Y has the unusual form without מ: 1. 7 ול[מ]חלבא; 2. 9 ל[מ]חבלא. Inf. ע"י and ע"ו verbs: L writes forms with י, Y without: 1. 7 למיחב; 5. 4 קביל; 7. 9 למיחב. Pael pf. 3 m. s., 6. 2, L קבל, Y קביל; Aphel pf. 3 pl. 5. 7, L ואובילו יחיה, Y ואובלגניה; impf. 3 m. s. 8. 4, L ידכור, Y ידכר; impv. m. s. with suff. 2. 14, L אחויני, Y אחויני; inf. 5. 12, L לאוטבא, Y לאיטבא; 8. 6, L לאוקידא, Y לאוקרא; Ithpeel inf. 1. 10, L לאתיהיבא, Y לאתיהבא. Ishtafal pf. 3. 6, L ואשתויב, Y ואשתויב. Quadrilateral, pt. pass. 7. 3, L מתפרנס, Y מתפרנים.

2. *Nouns.*

53. The form בוסמנן = 'spices' is to be found only in L, while Y uses בוסמין.⁸³ Cf. 4. 6, 4. 10, 4. 13, 4. 14, &c. The form בלסמן, too, is found only in L, cf. 7. 17, and in 2. 15 we find in L בוסם (ל), while in Y בלם (ל). In the majority of cases L writes the word 'sanctuary', as מוקדשא, and in a few instances as מקדשא. While it is uncertain what vowel is intended over the מ in the latter cases, L alone has an ū vowel for this word. Y writes either מוקדשא or מקדשא. Cf. 1. 8, 17; 2. 14; 3. 6, &c. L has singular noun forms in 1. 8 רעיתא for Y רעוותא⁸⁴ 'shepherds', and in 2. 15 בברותא⁸⁵ for Y בבורתא 'first-born'.

⁸³ In 4. 10 C uses form בסמנהון.

⁸⁴ D writing only one noun, דוד, has correctly the singular רעוּתָא, but F incorrectly writes the singular with two nouns.

⁸⁵ Jastrow gives this form; cf. p. 170 a.

54. The following further differences are to be noted between **L** and **Y** in their noun forms. The first of the cited passages is **L**: 1. 12 (ו)ערברובין,⁸⁶ mixed crowd; 1. 16 בפורינא,⁸⁷ בפר'אנא; 2. 9 אשיותא,⁸⁸ frame wall; 2. 14 חיוין; 2. 14 דרניתא, דרניתא, steps; 3. 9 דמטליא, דמטללתא,⁸⁹ species of cedar; 3. 11 דמטללתא, booths; 4. 3 ווארכינין, ווארכונין,⁹⁰ chiefs; 4. 6 (ו)צפרירי,⁹¹ (ד)נפירי, demons; 4. 8 דורין, דרון,⁹² gifts; 4. 14 (ו)אקסיל אלואון, (ו)אסקי אלואון;⁹³ 5. 3 מסובתך, מסאובתך, uncleanness; 5. 15 (כ)נלמשיין, (כ)נלמשיין [c (כ)נלמשיין], species of cedar; 6. 6 אניסא, ש'למ'תא, שלימתא,⁹⁴ 6. 9 (ו)ניולת, (ו)ניולת; 7. 5 (כ)פרקטנין, (כ)פרקטנין; 8. 1 ינקא, ינוקא, [ינ'קא].

3. *Relative Pronoun* די.

55. **L** has a preference not shared by **Y** for writing the Relative די as a separate word; consequently we have a number of passages in which **Y** joins the particle to the following word; cf. 1. 9, 12; 3. 10; 4. 1, 4, &c.

⁸⁶ Cf. עירברבין, T. Num. 11. 40, Gr. 164.

⁸⁷ The pointing of the manuscripts clearly indicates that נ'א is suff. Hence 'in our —'. This at once makes it impossible to translate with Levy, 'in the Thalamus' (290 a). Jastrow 1146 b translates, 'our lot' combining the word with Tal. בפורינו, Ber. 16 b (so Rashi בנורלנו). But the reading of the Munich MS. בפוריינו (vocalized בפורינא: a sort of Keri), so also Y. Ber. 7 d bottom, suggests the translation 'in our bed'; so Kohut, Sup. 16, note 4. Certainly ערשנו in our text precludes any other translation. Cf. also Mid. R., a. l.

⁸⁸ **L** is better with suff., cf. Hebrew כתלניו. But the form אשיותא is better. Cf. Nöldeke, *Mand. Gramm.*, 113, 98, note 2; Nöldeke, *Neue Beit.*, 143, note 4, 144.

⁸⁹ It is probable that **L** is the correct reading.

⁹⁰ Cf. ἄρχων.

⁹¹ Cf. Gr., 165.

⁹² **L** is better. Cf. δῶρον.

⁹³ The Ar. reads as one word ואקסיל'לואון. Cf. Jastrow, 113 a, ξυλαλόη, ἀγάλλοχον, pieces of aloe-wood.

⁹⁴ Cf. the passages.

4. *Preposition* מן.

56. In a number of passages **L** assimilates the preposition מן to the following word, while **Y** retains it as a separate word. There are, however, a few instances in which **L** does not assimilate מן, while **Y** does; cf. 1. 2, 9; 2. 1, 14; 6. 2, &c.

5. *Adverbs*.

57. **L** always writes the adverb הכרין = so, while the MSS. prefer הכין. **L** always writes אלהן = but, while the MSS. write אלהין or אלהון. In 3. 7, **L** writes the adverb ציבחר = a little, as one word, while **Y** writes ציב רר. In 8. 4, **L** writes מה דין, while **Y** shortens the form to מָא.

6. *Conjunctions*.

58. **L** always writes היכמה, while **Y** writes האכמה, היכמה, and sometimes היכמה. In 2. 6, **L** writes אף 'also', **Y** אף.

D. SYNTAX.

1. *Absolute and Determinate States*.

59. **L** seems to have a stronger preference for nouns in the determinate state than has **Y** which prefers the absolute form; cf. 1. 11 כנפא; 2. 9 נורה; 3. 5 לארעא;⁹⁵ 5. 1 קודשיא; 5. 8; 5. 1; 6. 2, &c. Though few in number, cases are not wanting in which **Y** has the determinate, and **L** the absolute form. 1. 9 אורה; 4. 6 בוסמין; cf. further 2. 17; 4. 16; 7. 1; 8. 6; 14, &c.

2. *Periphrastic Genitive*.

60. (a) There is a large number of passages in which **L** expresses the genitive relation with the relative ד or די where **Y** omits the relative. Apparently **L** has adopted, in these instances, the construction of the later language,

⁹⁵ Cf. T Deut. 26. 15.

while **Y** retains the older construction.⁹⁶ There are, however, a few instances in which the tables are reversed; cf. 1. 1 על ידו די ישעיה; 2. 3 ופתנמי דאוריית and 2. 12, 14; 5. 10, 15; 6. 5; 8. 8. But 7. 6 למרי על מא; 7. 13 לאלהא שמיא.⁹⁷

(b) **L** prefers to affix a pronominal suffix to a noun governing the genitive, and **Y** places it in the absolute. Thus 1. 9 רומיה די"י; 3. 6 בזכותיה דאברהם; and 5. 7; 8. 7. But one case is found in which we have the reverse; 7. 11 באורחתיה דמרי עלמא.

3. *Relative* ד.

61. In the following passages **L** substitutes a preposition for the relative pronoun ד of **Y**. Thus 1. 5 דמלאכיא, במלאכיא; 5. 10 דמרי עלמא, למרי עלמא. In 7. 13 the case is reversed, **Y** using the preposition for the relative of **L**, פורקנא דעמאי, פורקנא לעמא.

4. *Suffixes*.

62. In a number of cases **L** expresses the object of a verb as a separate word, while **Y** employs pronominal suffixes. Thus: 5. 7 ואובילו יתיה; 5. 7 ארביקו לי; 5. 12 ולברכא; 8. 6 שוי יתן לה.

5. *Pronoun*.

63. **L** and **Y** differ in several passages where a personal pronoun is included in either text for the sake of emphasis. Thus: **L**, 1. 1 פתח פומיה איהו; 8. 12 למהוי איהו; **Y**, 4. 4 אינון אחרין.

6. *Ethical Dative*.

64. In 2. 3, **L** differs from **Y** in omitting an ethical dative; אוילי מיכא.

⁹⁶ Cf. Margolis, *Manual of the Aramaic Language of the Talmud*, Munich, 1910, p. 63 ff.

⁹⁷ Cf. BA, Ezra 5. 5, 12; 6. 9, 10.

7. *Particle ית*.

65. The objective particle *ית* is less frequently omitted in **L** than in **Y**. Cases of omission of the former occur in 3. 4; 5. 4; 7. 1; 8. 7; of the latter, in 1. 4, 6, 14; 3. 3; 7. 2, 6; 8. 5.

8. *Adverb and Conjunction*.

66. In the following passages **Y** substitutes the conjunction *ו* to convey the meaning either of the adverb *כן* or of the adverbial phrase *כן ומבחר*: 2. 14 *ואמרת*; 2. 16 *ואינון*.

9. *Gender*.

67. The noun *עירן* being of common gender, **L** and **Y** construe it as feminine and masculine respectively; cf. 6. 9; 8. 8. Likewise *נהינם* of common gender is taken by **L** as a masc., while **Y** takes it as a fem.; cf. 8. 6. In 1. 1, **L** writes the pf. fem. *בר לה ראתיהיבת לה*, apparently being influenced by the indirect object *לה*, while **Y** writes the masc., agreeing with the direct object.

10. *Verbs*.

68. *Peal*: in 4. 16, **L** employs an impv., where **Y** writes an impf.: *ויקביל, וקביל*.⁹⁸ In 8. 13, **L** writes pf., and **Y** an act. pt.: *עברא, עברת*. In 8. 12, **L** writes a pt., **Y** an impf.: *ישלוט, יהי שלום*. In 4. 8, **L** and **Y** differ as to the person: **L** *תיעלן*, **Y** *תיעלן*.⁹⁹ In 4. 13; 8. 1, **L** has pt. pass., **Y** pt. act.: *ומסירא, ורחמין*;¹⁰⁰ *ומסירא, ורחמין*. In 8. 13, **L** uses the inf., **Y** the impf.: *למימר*,¹⁰¹ *דיימר*. In 4. 15, **L** and **Y** use the *Pe.* and *Pa.* pt. respectively: *רמנסבין, רנסבין*. In 3. 10, **L** has *Pe.* and **Y** *Aphel*: *דאשלם, די שלים*. In 8. 1, **L** uses the *Ithpeel* pf., **Y** the pt.: *מתגלי, אתגלי*.¹⁰² In 8. 4, **L** has

⁹⁸ **Y** is better.

⁹⁹ **L** is more consistent in its person, though **Y** is not in error.

¹⁰⁰ Act. pt. better.

¹⁰¹ **L** is somewhat better.

¹⁰² **Y** is better.

Ithpeel pf., Y the Ithpaal pf.: אתעכבו, אתעכבו. In 8. 4, L uses Ithpeel pt., Y Ithpaal pt.: מתנרין, מתנרין. In 8. 4, L writes a Shafel while Y has an Ishtafal: רישתיצין, רישתיצין.

II. *Prepositions.*

69. In the use of prepositions the following syntactical differences are to be noted between L and Y. In 1. 6, L omits the preposition ל although the verb פלח generally requires it, but Y reads למפלח לטעויותא. In 3. 10, L uses מן pleonastically before עילויה, while Y writes עלויה. Although unnecessary, in 2. 7, L uses ב¹⁰³ in instrumental sense, while Y omits it: thus L פתח בפומיה, Y פתחי פומיה. In 2. 16, L slightly alters the sense by its use of a different preposition to that of Y: thus L כתבתם דחרב, Y¹⁰⁴ לפתנתם דחרב. In 3. 11, while L omits the preposition, Y uses a ב in a local sense, thus: L ועמא דציין, Y ועמא דבציין. In 5. 4, 7; 7. 12, L uses ב in a local sense, while Y uses ל to indicate direction toward, thus: 5. 4, L ואנלי יתהון בלחלה ובחבור, Y ואובילי, ואוביל יתיה ברבלה¹⁰⁵; 5. 7, L ואנלי יתהון ללחלה וחבר, Y ואנלי יתהון לארעא, ואנלי יתיה יתהון בארעא; 7. 12, L דרמין לאברהם, Y דרמין כאברהם. After a verb signifying appointment to something L uses no preposition, while Y makes use of a ל; thus: 7. 6, L מלכא דאתמני עלך, Y מלכא דרשיא לרשיא. In 7. 12, L repeats the preposition ב before each of the two nouns governed by the same verb, while Y employs the preposition but once. In 7. 14 the case is reversed. Thus 7. 12, L בקריו גלותא ובפלכי, Y בקריו גלותא.

¹⁰³ Cf. BDB., sub. ב.

¹⁰⁴ Cf. T Num. 21. 24 לפתנתם דחרב.

¹⁰⁵ Cf. T 2 Kings 17. 6 ואנלי ית ישראל לאתור ואותיב יתהון בלחלה ובחבור נהר נון וקריו מדי.

¹⁰⁶ C and D incorrectly write בגופנא.

12. Miscellaneous.

ERRORS

1. *Homoeoteleuta*.

2. Omissions.

¹⁰⁷ Cf. Hebrew text.

¹⁰⁸ Cf. *Agad. Shir Hashirim*, JQR., VII; רשמייעני את קולך בל שאתם

אשבעית לכון [כנשתא דישראל ביהוה צבאות ובתקיפי ארעא 3. 5; אישכחו
 [ובהייא ברכתא 3. 7; ביריכום [ותעברון ית ירדנא] ¹⁰⁹; דישראל]
 4. 1; כולהון [אחידין] בפתגמי אוריתא 3. 8; מסחרא להון] כשור רם
 5. 2; ושום [טב] דצדיק 4. 10; דהון] דכין 4. 2; [יתבי] סנהדרין
 וציעית נוריי [אתמלי מן טפי עינד]; [והון דמיין בגלותא] כגבר דמכא
 כבר [סלקית שכינתי מבינד והכרין אהדור ואת עבדת 3. 5; כגבר
 די השתכחו [בי]; [מבינד] שכינתא 6. 1; עובדין בישין ואנא] קדישית
 בר [מן] 6. 7 ¹¹⁰; [דהון] היכמה דכין 6. 6; אצדיקו [יתי] 6. 5
 לקבלא 7. 1; [כמה זוותנין] עובדי 6. 10; צדיקין [מכולהון] ¹¹¹; מתתיה
 דמליין [פיקוריא] כרימנא 7. 13; [דרמיין] אצבעת 7. 8; [נבואה]
 8. 7; ופליג עמיה [מלכותא] 8. 11; [מן] משיריתיה 8. 7.

There are a few omissions to be found in L: 1. 1 פתחו
 2. 9; דנפקו [קדם] תלתין שנין 2. 7; [אי] אתון 2. 5; כולהום [פומהום]
 ובאולפן 4. 4; דאשתדל [גוברא] עימיה 3. 6; וחמא [וחזא] לעמיה
 אוריתא דהוא עסיק [ביה].

3. Doublets.

74. Errors that appear to be doublets are found once in
 L and once in Y. L, 4. 1 לעלמא לעמאבית ישראל; Y, 5. 4
 לעלמא לעמאבית ישראל. ¹¹² וכבר דבר.

4. Scribal Errors.

75. The following scribal errors are to be found in L:
 1. 12 כנירא; 4. 11 אולבנין; 7. 8 ארבעת.

Y, on the other hand, has many more scribal errors.
 2. 2 דמבלבלא; ¹¹³ 2. 3 מטרונא; 2. 5 אתון; 2. 9 וחם; 2. 14

מתפללים לפני בקול גבוה כי קולך ערב בתפילתם. Cf. also Jerus. Sh.
 178 b, Mek. 14 b.

¹⁰⁹ Cf. Hebrew text.

¹¹⁰ CE add דהון, F דהוי after היכמה. A verb is necessary, but all the
 manuscripts have it in the wrong place. L preserves the best text.

¹¹¹ Cf. Gr., 232 and 6. 8.

¹¹² C corrupts ודמר to ודבר. It is interesting to note that the Ar.
 supports the reading of L.

¹¹³ Five different readings are preserved in Y.

אזלי; 6. 11; 6. 7 בעציתא; 6. 7; יאי הוא 5. 15; ובסתון 3. 2; אנא; ירוש' 8. 4; דלתא, קשרת 8. 3; עלמא 7. 5;¹¹⁴ ולביון.

B. GRAMMATICAL.

1. *Verbs.*

76. The following errors in verbal forms are to be noted in **L**: 3. 1 אשכחונחי;¹¹⁵ 5. 3 אטופינן;¹¹⁶ 5. 7 וסיומו; 5. 13 מרבי;¹¹⁷ 8. 1 מבין;¹¹⁸ 8. 14 יהי פתח. **Y** contains the following errors in verbal forms: 2. 8 וטפא (EF); 2. 4 מערב; 2. 16 הדרי; 8. 11 נמר.¹¹⁹

2. *Suffixes.*

77. The following errors in suffixes occur in **Y** where **L** has the correct form: 1. 6 אליפון;¹²⁰ 2. 3 פקורי; 2. 9 אשיאתא;¹²¹ 2. 17 קורבניא; 6. 5 אסחריק; 8. 5 אמקן; 8. 11 לך.

3. *Gender.*

78. In 1. 1, **L** repeats six times an error in the gender of the ordinal following the fem. noun שירתא, writing the masc. תליתא, ש' רביעא, ש' חמישא, ש' שתיחא, ש' שביעא, ש' תשיעא, for the correct fem. readings of **Y**, ש' תליתא, ש' רביעיתא, &c.

In 6. 4, **L** likewise incorrectly writes ארבע טקסיך for **Y** ארבעת ט'.

In 1. 8 and 5. 3, **L** incorrectly writes the impf. 3 f. pl. יהון and יהוין for the masc. of **Y** יהון.

In 1. 4 and 8. 10, **L** incorrectly takes זמנא to be a fem. noun, writing חנייתא ז', and זמנא ז'. Likewise in 6. 3 it

¹¹⁴ Apparently **Y** did not understand לבלוב, which, of course, is the correct reading.

¹¹⁵ Cf. Gr., 367.

¹¹⁶ Cf. Gr., 372.

¹¹⁷ Cf. Gr., 351.

¹¹⁸ Cf. Gr., 351.

¹¹⁹ A pt. is required.

¹²⁰ CDEF have other incorrect forms.

¹²¹ Cf. above, note 88.

takes *יומא* to be fem., writing *ובהיא יומא*. Incorrect also is the gender of **L** in the following passages:—1. 8 *ובהוּו* ; *דהוּה שכינת יקרא* 4. 6 ; *וסלקן (עדרי)* 4. 2 ; *יאון עוברך* 1. 15 ; *זכותא* ; *מרגליתא* *נחירין* *צחיחין* 5. 14 ; *ואכל (אישתא)* 5. 1 ; *וחבימי דריא* 7. 14 ; *דמתילן (מינה ואחרן)* 7. 4 ; *סלקן (ישראל)* 7. 2 ; *קביען* , and 8. 9 *זכות אוריתא דעסקן ביה ינקיא* (double error).

Errors of gender in **Y** are not as frequent ; these occur in 1. 8 *יהי* ; *אימרא חד* 1. 14 ; *בית מקדשא יאיא* 1. 17 ; 2. 11 *סבי כנישתא דישראל* *אנחנא מצלן* 8. 14 ; *ומרות מצראי דמתיל* .

4. *Number.*

79. **L** writes the following plural forms of nouns in place of the singular: 1. 12 *ריחיהון* ; 2. 15 *משבטוי דרן* ; 5. 1 *אחוותי* ; *ורחיהון* 7. 9 ; and the sing. instead of the plur. in: 2. 7 *אחוכון* ; 7. 3 *ונרדא* .

Y has the following sing. instead of the plur.: 2. 14 *מדברא* ; 4. 2 ; 6. 7 *דענא דיעקב* ; and the following plur. in place of sings.: 6. 7 *כרימוניא* ; 7. 9 *נסיונא הרין* ; 8. 9 *אוריתא* ; *דכתיבין* .

5. *Prepositions.*

80. In 4. 3 **L** omits the preposition *ב* , in *בעיין בצלותא* ; and writes *ב* for *כ* in 6. 4 *כיומא* ; 6. 10 *בקרצתא* .

6. *Conjunctions.*

81. In the following passages **L** incorrectly adds the conjunction *ו* : 2. 7 *ומן* ; 2. 14 *וכד רדיף* ; 3. 10 *ופריש* ; 5. 5 *נצחן* ; *ועסיקא* 6. 9¹²² ; and in the following incorrectly omits it: 2. 13 *מיכא* ; 7. 10 *מטא* ; 8. 2 *פירי* ; 8. 11 *בחר* . In 5. 16, **L** writes conj. *ו* for relative *ד* : *ומתנבאן* .

In the following passages **Y** incorrectly adds the conj. *ו* : 1. 5 *ועל* ; and omits it in: 4. 11 *לישניך* ; 8. 1 *ימרון בית* ; 8. 1 *אעלינך* .

¹²² Cf. J II, Gen. 49. 5, *נצחני קרבא* .

A DIRGE ON THE DEATH OF DANIEL GAON

BY B. HALPER, Dropsie College.

FEW of the Hebrew manuscripts recently brought to light have yielded such a rich harvest of historical data as the Dīwān secured at Aleppo by Mr. Elkan N. Adler, of London, in 1898.¹ Poznański's work *Babylonische Geonim im nachgaonäischen Zeitalter*, in which an attempt is made to present a picture of Jewish life in Babylon during the centuries immediately after the so-called gaonic period, is to a large extent based upon this Dīwān. As early as 1856 Steinschneider published four poems by this poet from a fragment in the Bodleian Library.² Brody, too, published some specimens of this same Dīwān from a manuscript in the British Museum.³ At that time the name of the poet could not be ascertained, and the conjectures made need not be repeated here. By a careful study of Mr. Adler's manuscript, which contains 281 poems and probably represents a great portion of the entire Dīwān, Dr. H. Brody was enabled to find the name of the author: Eleazar b. Jacob.⁴ Brody correctly interprets the

¹ See *JQR.*, XI, pp. 682 ff.; Elkan N. Adler, *Jews in Many Lands* (Jewish Publication Society of America, 1905), p. 167.

² *He-Ḥaluṣ*, III, pp. 150 ff.

³ *Zeitschrift für Hebräische Bibliographie*, II, pp. 34-5.

⁴ *Ibid.*, IV, p. 23.

short poem addressed to Joseph al-Barkoli,⁵ the first line of which reads:

שֹׁדְדוֹ רָקִיעַ שִׁיר נָטוּ שְׁעָפֵי אֵל-
עֶזְרָ בְּנוֹ יַעֲקֹב עַל רֹאשׁ גְּבִיר יוֹסֵף

'Behold the firmament of song which the meditations of Eleazar the son of Jacob have spread over the head of the nobleman Joseph.' This line in itself is conclusive, and no further evidence is necessary. Brody's other proof, from a riddle in the *Dīwān*, tends to obscure matters rather than to clarify them. The riddle is about the name אלעזר, and, according to Brody, reads:

וְשֵׁם נֶשֶׁם אֵל בְּרֹאשִׁיתוֹ וְאֵם כָּל חַי בְּאַחֲרִיתוֹ
וְאֵם לֹא תִדְעוּ אוֹתוֹ אֲנִי כֻּלּוֹ וּמִקְצָתוֹ

The first line is quite clear: a name whose beginning is God's name (אל) and whose end is 'the mother of all living' (that is Eve who is a 'help,' עזר; see Gen. 2. 18). But the second hemistich of the second line is obscure. Brody interprets this line as follows: 'If you do not know it (i. e. the name), I am the whole of it and the part thereof;' but he admits that the word וּמִקְצָתוֹ is unintelligible. His suggestion in note 4 that this word refers to יר, which is part of אלעזר, is far-fetched, as it necessitates the assumption that Eleazar b. Jacob had for a time been compelled to adopt Islam. This conjecture cannot be substantiated, and the poem upon which it is based is too fragmentary to admit of any definite conclusion.⁶ Now as to the riddle, it is by no means certain that the word אֲנִי is correctly vocalized. The hint thus given about the solution is unusual: the reader who knows the author's name is actually

⁵ Poem 116 in Adler's manuscript.

⁶ See *Zeitschrift für Hebräische Bibliographie*, IV, p. 26.

told the solution, while the one to whom the name is not known receives no additional information. It is possible that the author meant the word 𐤁𐤍, and he may have had in mind an ingenious combination of a boat (or vessel, Arabic آنية) and its parts.

Nothing is known about this Eleazar b. Jacob, except that he flourished during the first half of the thirteenth century. This fact is definitely established by the poems addressed to his contemporaries. He has a dirge on the death of Abraham Maimuni who died 1237, while he seems to have known also Samuel b. 'Ali, Gaon of Bagdad, who, according to Poznański,⁷ flourished about 1200. Whether this Eleazar b. Jacob is identical with the one mentioned by Zunz in his *Literaturgeschichte der synagogalen Poesie*, p. 505, is a moot question. The identification seems obvious, though by no means conclusive. Both Brody and Poznański entertain no doubt about it, but it should be stated that Zunz places his *paṭan* in the fourteenth century.

It is to be regretted that, despite the importance of this *Diwān*, its publication has for some reason or another been delayed. Although twenty years have elapsed since it was brought to light, it still exists in proof and is accessible only to a few scholars. For the study of the fragment which I am herewith publishing, I have been able to make use of the poems inserted by Poznański in the third appendix of his book⁸ and of Brody's edition of the first 182 poems which Professor Alexander Marx was kind enough to lend me. This fragment, which was brought from Cairo in 1891 by Dr. Cyrus Adler, is now at the Dropsie College. In my review of Poznański's book,⁹

⁷ *Babylonische Geonim im nachgaonäischen Zeitalter*, p. 36.

⁸ *Ibid.*, pp. 61-77.

⁹ *JQR.*, N. S., VII, pp. 416 ff.

I gave a general description of this fragment, and hazarded the suggestion that the poem is by Eleazar b. Jacob, and that the Gaon whose death is lamented is Daniel b. Abi al-Rabi'. A careful study of the 182 poems has strengthened my conviction, and although I am unable to offer any positive and conclusive evidence, I should like to call attention to the similarity of a few expressions occurring in the *Dīwān* and in the fragment. Of course, it must at the same time be borne in mind that the author of the *Dīwān* is a 'minor poet', and both in phraseology and sentiment he imitates the older poets of the Spanish period. His dependence upon Samuel ha-Nagid and Moses Ibn Ezra is especially marked. This is no doubt due to the fact that these two poets were the most 'polished' of that period, and it is poets of that nature that usually serve as models for imitators. But when due allowance is made for the imitated style, the general impression obtained from reading these poems would lead one to ascribe the authorship of this fragment to Eleazar b. Jacob.

The resemblance between poems 4 and 5 of Adler's manuscript and this fragment is at once apparent on account of the same metre and rhyme employed in three of them. Poem 8, line 5 has *בְּעֶלְךָ יִשְׁבּוּ חַיִּים וְכָל עוֹף*. This should be compared with ll. 7, 8 of our fragment. Then the sentiment expressed in l. 14 is frequently repeated in Adler's manuscript, as in poem 9, l. 23;¹⁰ poem 179, l. 16;¹¹

10

יהי חלקו בעדן נן ויפיל
אלהיו לו חבלים בנעימים

11

יהי חלקה בעדן נן ותמצא
חבלים בנעימים לה ומנות

poem 180, l. 18 ;¹² poem 203, l. 20¹³ (quoted by Poznański, p. 75).

The last-named poem was composed on the death of a son of Daniel, and the author laments the fact that Daniel Gaon is no longer alive to punish the arrogant plagiarists.¹⁴ Now, from the poems addressed to this Daniel, it is obvious that our poet was an intimate friend of his, and it seems strange that there is no dirge on the death of this Gaon in Adler's manuscript. Accordingly our fragment supplies the missing link. The poems in that manuscript do not follow in a strictly chronological order (Brody altered the numeration; see Poznański, *op. cit.*, p. 10, note 1), and it is possible that this dirge was put at the end of the *Dīwān*, which part has not been found yet.

The external aspect of this fragment offers a few interesting points for discussion. It is a narrow strip of parchment measuring $15 \times 6\frac{1}{2}$ inches ($= 38 \times 15.5$ cm.). It was originally a marriage document, dated Fustāt, Sunday, twenty-first day of Adar, 1374 ($= 1063$). The bridegroom's name is Jepheth the son of Nissim, and the bride is named

12

יהי חלקה בנן בינות תמימות
ועם אמות בער חברון יישנות

13

יהי חלקו בעדן עם אבותיו
אשר היו לשרת אל קרבים

14

אהה כי נאספו עונשי יהירים
פניהם מסעיף סלע חצובים
נאוני דור אשר היו אריות
וגורי דת בעינים כחגבים
כדניאל גאון יעקב אשר שם
נכון היום במותו כערבים

(ll. 13-15.)

Sitt al-Dar,¹⁵ daughter of Isaac.¹⁶ Subsequently this document was trimmed, the lower part being entirely cut off, and the blank side was used for writing down the dirge. That the document was written before the dirge is evident from the appearance of the fragment as well as from the consideration that a clean piece of parchment would be used for a marriage document. The dirge is written in a bold square character, but not by a professional scribe. This may be inferred from the nature of the writing as well as from the material employed. A professional scribe copying a *Dīwān* would naturally write in a codex, and would hardly use a stray piece of parchment with only one blank side. At first the possibility that suggests itself is that the dirge was copied as an exercise in penmanship. But this seems unlikely on account of the irregularity of the letters and the unevenness of the lines. Is it not possible that we have here an autograph of the poet? This fragment may have been used by him for the first draft of his poem which was afterwards given to a professional copyist to be incorporated into the *Dīwān*. This conjecture is to some extent supported by the circumstance that there are a few corrections in some of

¹⁵ The meaning of this name is *Lady*, or *Mistress of the House*. סֵת is in Egypt the vulgar pronunciation or contraction of سَيِّدَة. See also Lane and Dozy, s.v. In Neubauer and Cowley's *Catalogue of the Hebrew Manuscripts in the Bodleian Library*, vol. II, 1906, there are marriage documents in which the names סֵת אֶלְסַאדָה (P 2807, 20) and סֵת אֶלְכַפֵּר (P 2821, 16d) occur. These names have not been transliterated by the authors of that *Catalogue*. סֵת אֶלְסַאדָה means *Lady*, or *Mistress of Lords*, and סֵת אֶלְכַפֵּר means *Lady*, or *Mistress of the Village*.

¹⁶ It is of interest to note that in this document we have the spelling הוּאִי לִי לֵאנָתוּ, which proves that the 'traditional' pronunciation הוּי is entirely wrong.

the lines.¹⁷ On the whole the writing gives the impression of being the work of an old man whose hand was trembling. This is especially evident in the last few lines. Now Eleazar b. Jacob must have been an old man at the time of Daniel's death, and probably did not survive him very long.

The question now arises: where was Eleazar at the time when he wrote this dirge? Brody takes it for granted that he lived in Bagdad. This assumption apparently lends support to the identification of this poet with Eleazar b. Jacob ha-Babli mentioned by Zunz. Now our fragment, which had been in 1063 in Egypt and was discovered in that country in recent years, could not have been in Bagdad in the middle of the thirteenth century. This would therefore seem to disprove my conjecture. But no matter where the author of this *Diwān* resided permanently, he undoubtedly was both in Egypt and Babylon, as he had a number of intimate acquaintances in both countries. As a matter of fact, Steinschneider,¹⁸ without stating his reasons, says of this author: 'He lived at Alexandria, but travelled as far as Bagdad.' Even if this Eleazar bore the surname ha-Babli, it would be no conclusive evidence that his permanent residence was in Bagdad or Babylon. It would rather indicate that he was of Babylonian extraction but subsequently settled elsewhere.

The manuscript is unvocalized except in sporadic instances where the pronunciation is liable to be mistaken. The lines are continuous and are not identical with the verses, that is to say, if a verse ends in the middle of a line, another verse is started in the same line. The orthography is not consistent. Thus *בַּחֲמֻתָּי* in line 1 b is *plene*,

¹⁷ See below, notes 20, 34.

¹⁸ *JQR.*, XII, p. 115.

while in line 3 a it is defective. The spelling כאיילים (line 7 b) should be contrasted with וחיה (line 4 a) and יחיה (line 5 b). As I supplied the vowel-points, I did not deem it advisable to reproduce this orthographic inconsistency. In all other respects I followed the manuscript, and put my emendations in the notes.

כְּדִנְיָאֵל¹⁹ גִּאֲזוֹן רֵאשִׁי יְשִׁיבוֹת
 בְּחֻמּוֹתָיו²⁰ בְּמִטְרוֹת הַנְּשִׂאִים²¹
 אֲשֶׁר מַעֲשָׂיו וּמַפְעָלָיו יִשְׂרָיִם
 מִתְרַצִּים בְּמִים לְעִמָּאִים
 וּבִנְתָיו וְחֻמּוֹתָיו יִפְּצוּן²²
 עָלֵי חוּצוֹת וְכָל קְצוֹת²³ וּפְאִים²⁴
 וְחִיָּה בָם עֵינֵי הַרְהוּתִים²⁵
 וְיִרְגּוּ בְּנוֹגִים עַל פְּרָאִים
 וְהוּא הָרֵאשׁ לְכָל רֵאשֵׁי גִּאֲזִים
 וְכִם רְפֹאוֹת יְחִיָּה הַרְפָּאִים

¹⁹ The metre is Wāfir, which is a favourite with many of the mediaeval Hebrew poets. With very few exceptions all the poems in the Diwān of Eleazar b. Jacob are written in this metre.

²⁰ In the manuscript the כ is written above the ה.

²¹ For the expression *like the rain of the clouds* and similar phrases as metaphors for *abundance* or *liberality* see my essay 'The Scansion of Mediaeval Hebrew Poetry', *JQR.*, N. S., IV, p. 205.

²² So it is in the manuscript with a vowel-point under the פ. We should, however, expect the Kal יפוצון as in Prov. 5. 16, though the Hifil, too, is sometimes intransitive; see Exod. 5. 12; 1 Sam. 13. 8; Job. 38. 24.

²³ It is so vocalized in the manuscript on account of the metre, but grammatically it should be קצוות, as it is in the absolute state.

²⁴ This plural of פָּאָה is coined by the poet on account of the rhyme. In the Bible it is פְּאוֹת (see Exod. 25. 26; 37. 13).

²⁵ This form is probably due to a curious misunderstanding of the word תְּרָה occurring in Isa. 44. 8. The root רהה obviously belongs to the tertiae He class, but the poet took it to be a geminate verb, and formed its passive participle רְהוּתִים instead of רְהוּיִים, *the dismayed or terrified*.

וּמְרַגְלִית שֶׁהִיא²⁶ הַפְּדָרִים
 וְהַפְּלָךְ עָלַי כָּל הַקְּרוֹאִים
 וְהָאֵלֶן אֲשֶׁר יֵשְׁבוּ תַּחְתָּיו
 בְּאֵילִים וּפְרָחִים²⁷ הַצִּבְאִים
 וַיִּשְׁכֵּן²⁸ בּוֹ בְּנֵי עוֹפּוֹת טְהוֹרוֹת
 וְאֵין בָּמוֹ עֲטֻלִּים וְדָאִים²⁹
 כְּמֶרְגְּלִית בְּעוֹלָמָהּ יְחִידָה
 וְלֹא נִמְצָא יְשִׁנָּה בַּפְּעוּצִים
 וְאִזִּי לְדוֹר אֲשֶׁר נִפְקַד בְּיָמָיו
 אֲשֶׁר נִזְתְּרוּ לְדָלִים³⁰ חִלְקָאִים
 חֲטָפוֹ אֶל אֲדוֹן³¹ הַנְּשָׁמוֹת
 לְהוֹבִילוֹ לְמִקְהַל הַיִּרְאִים
 לְהַשְׁכִּינוֹ בְּמִכְלָל³² הַחֲסִידִים
 וַיַּהֲנֶה בְּיוֹי שֶׁר הַנְּבִיאִים

²⁶ These letters, which make no sense whatsoever, are very distinct in the manuscript. Perhaps they are meant to be *שְׁהִיא רֹאשׁ*. For the vocalization *שְׁהִיא*, which is demanded by the metre, see Eccles. 2. 22; 3. 18.

²⁷ For *פְּרָח*, in the sense of *young*, compare the expression *פרחי כהנה* (Yoma 1. 7). This word is similar to biblical *פְּרָחַח* (Job 30. 12) and *אֶפְרָח*.

²⁸ This word is very clear in the manuscript, but a plural would be more appropriate. It is, perhaps, meant for *וַיִּשְׁכְּבוּ*, the Waw being unintentionally lengthened.

²⁹ The plural is not found in the Bible. The poet wishes to say that Daniel Gaon was the patron of genuine talent, but would admit no imitators or plagiarists into his presence. This feature of Daniel's character is alluded to in the dirge on Daniel's son (poem 203, quoted by Poznański, p. 75). See above, note 14.

³⁰ We ought to read, perhaps, *בְּדָלִים*, unless the poet used the *ל* as the sign of the accusative (compare *לְאַבְנֵר*, 2 Sam. 3. 30), and was influenced by Arabic *أَصْبَحَ*.

³¹ This foot is short of a syllable. We ought to read, perhaps, *אֲדוֹנֵי*, or supply *בָּל*.

³² *Assembly, category*; a biblical noun with a new signification akin to mishnic *בִּלְל* and Arabic *كَلِمَة*.

לְהַדְבִּיקוֹ בְּהוֹר כָּל³³ נְבוֹן לֵב
 וְכָל יָרָא אֲשֶׁר הָיוּ יִרְאִים
 וַיִּנּוּחַ בְּמִשְׁעָבוֹ וַיִּזְכֶּה
 לָנוּ עֵדוֹן³⁴ וּמִלְאָכִים מְבִיאִים
 אֱלֹהֵינוּ יִקְרַב הַנֶּאֱלֶה
 וַיַּחֲלִילָהּ³⁵ לְכָל שָׂבִים וּבָאִים
 וַהֲשׁוּבָנִים בְּחֶבְרוֹן בְּמַעֲרָה³⁶
 וַהֲקוֹבְרִים³⁷ בְּהָרִים אֵין רוֹאִים³⁸

³³ This word is not clear in the manuscript. I read כל because it suits the sense, although the last letter, which seems to have been trimmed, hardly looks like the remnant of a ל. The metre demands another syllable, and we ought to supply some such word as איש.

³⁴ A word which looks like אשר was crossed out in the manuscript. The line as it stands is complete. If my conjecture that we are dealing with an autograph is right, it would seem that the poet intended to start the second foot of this hemistich in a different way.

³⁵ This word, which is quite clear in the manuscript, though apparently divided into two, is not appropriate. We should, perhaps, read וַיִּנְחִילָהּ.

³⁶ That is, the patriarchs.

³⁷ This seems to be a slip of the pen for וַהֲקוֹבְרִים.

³⁸ This refers to Aaron. Compare Num. 20. 28. The plural is probably general, but it may also include Eleazar (Joshua 24. 33). A third possibility, though an unlikely one, is that וַהֲקוֹבְרִים of the manuscript is correct, and refers to Moses and Eleazar.

STUDIES IN THE BOOKS OF SAMUEL

BY M. H. SEGAL, Oxford.

IV

ANCIENT JEWISH EXEGESIS AND MODERN CRITICISM.

THE services of the Jews to Biblical Studies are incalculable. Not only have they preserved the original Hebrew text of the Bible and furnished it with valuable critical apparatus; but they have also kept alive the practical knowledge of the Hebrew language which has enabled us to obtain a general understanding of the sacred text. Further, the Jews have also created, and brought to a high degree of perfection, two sciences which are indispensable for the study of the Bible, viz. the sciences of Hebrew philology and of Biblical exegesis. Modern scholarship has, indeed, widened the boundaries of these sciences, and rendered them more exact. Nevertheless in their fundamentals these sciences remain to-day practically in the condition to which they had attained in the works of the Jewish commentators and philologists of the Middle Ages. Only in one department of exegesis can modern scholarship claim to have made an original contribution of great value, viz. in the department of textual criticism. This contribution consists in the discovery and use of the Ancient Versions, and the consequent freedom in handling the text which the modern exegete has acquired from the study of

the Versions. However, it must be confessed that this acquisition has not proved altogether an unmixed blessing. Freedom from the fetters of the Massorah has in some cases degenerated into licence, with the result that some scholars have torn themselves away from their Massoretic moorings, and have eventually become lost in the eddies and quicksands of subjective conjecture and unrestrained hypothesis.

In view of these facts it is surprising to note the scant respect paid by modern non-Jewish scholars to ancient Jewish exegesis. These scholars rightly feel bound in honour to cite by name predecessors of whose labours they make use in their works. But although so much of their exegesis goes back to Jewish sources, yet one rarely finds in their writings an acknowledgment of this fact. In the long string of authorities usually cited in modern standard commentaries the names of the old Jewish masters of Biblical science are, as a rule, conspicuous by their absence. The student thus inevitably acquires the impression that Biblical science is only a creation of yesterday, and the monopoly of Protestant Christianity. And when Jewish authorities are mentioned it is often only to dismiss them with a sneer at their 'Rabbinic conceits'. Even so just and generous a scholar as the late Professor Driver could bring himself to cite 'the Jews' with a contemptuous smile (see his note on 1 Sam. 18. 21). 'The Jews' in this particular case happen to be none other than the great R. David Kimhi, the original fountain-head of Hebrew learning in the Protestant Church, who is reproduced by Prof. Driver in his very next note, as in numerous other passages in his admirable work, without, however, the least acknowledgment.

The outstanding characteristic of Jewish exegesis is its fidelity to the Massoretic tradition. This fidelity did not, however, degenerate into blind faith, into a slavish adherence to the traditional text even when it proved to be in conflict with reason or truth. Jewish commentators often allowed themselves to depart from the Massorah and the authority of tradition. They did not, indeed, venture actually to introduce changes into the received text. This would have been a dangerous proceeding before the universal diffusion through the printing press of the authoritative standard text of the Massorah. Their deviations from the traditional text are usually expressed by such mild euphemisms as *מקרא מסורס*, *מקרא קצר*, *יתר*, *חסר*, &c. But we must nevertheless recognize and acknowledge that, whether these pious and reverent exegetes realized it or not, such explanations do in fact constitute practically a repudiation of the infallibility of the Massorah, and an assertion of the right of independent personal judgement in textual questions. It is a striking testimony to the honesty, the robust sanity, and the acuteness of Jewish exegesis that in numerous cases these simple-minded, old-world scholars anticipated the emendations of modern critics, and unknowingly divined the variant readings given in the Ancient Versions. I will give in the following pages a list, by no means exhaustive, of such cases to be found in the Books of Samuel.⁴⁵

I 1. 1. The proposal of some moderns to point הרמתיים as הרמתיים 'the Ramathites' was already made by Ralbag, who remarks : או יהיה . . . הרמתיים כמו הרמתיים אשר נקוד חירק תחת התי"ו . . . והרצון בזה שהוא היה מן האנשים היושבים ברמה.

The moderns connect צוף with צופים 9. 1. So also

⁴⁵ Numerous other examples are to be found in the earlier articles of this Series.

R. Isaiah in his commentary printed in the Rabbinic Bible, Warsaw, 1862.

5. The Vulgate renders אַפִּים—*tristis*, evidently connecting it with אָף = כַּעַס. This agrees with the interpretation of R. Joseph Kimḥi cited in his son's commentary. Cf. also the various interpretations given in *Pesiḳta Rabbati*, ed. Friedmann, 182 a, and *Midrash Samuel*, ed. Buber, *ad loc.*

11. The addition in LXX: καὶ οἶνον καὶ μέθυσα οὐ πίνειται agrees with the opinion of R. Nehorai, *Mishnah Nazir*, IX, 5, who holds that Samuel was a Nazirite like Samson; cf. Judges 13. 3 a, b; Num. 6. 3 a. Likewise Ben Sira calls Samuel בְּנִבְוָה ה' נִזִּיר, 46. 13.

20. Gesenius's interpretation of the name שְׁמוּאֵל, adopted by most moderns (cf. Driver's *Notes*², 18) is already found in Rashi *ad loc.* So Ibn Ezra, Exod. 18. 3: שְׁמוּאֵל . . . מְנוּחַת שְׁמוֹ אֵל וּקְרָאתוֹ אִמּוֹ בִשֵּׁם אֵל כִּי הוּא נָתַן לָהּ כַּאֲשֶׁר שָׁאַלָהּ, וְכו'. Cf. also Abrabanel *ad loc.*: שְׁמוּאֵל הוּא שְׁמוֹ אֵל כִּי כָל הַדְּבָרִים . . . הָאֱלֹקִיִּים יִקְרְאוּ בִשֵּׁם ה' ק'ב'ה'.

2. 10. The pointing by Budde of ירַעַם as יִרְעָם was already anticipated by some ancient commentators cited by R. Tanḥum Yerushalmi *ad loc.* (ed. Haarbruecker, Leipzig, 1846).

33. ולָרִיב = וְלִאֲרִיב is pointed by most moderns ולָרִיב = וְלִהְרִיב. This was already suggested by R. Jonah Ibn Janah in his *Book of Roots* (Hebrew ed. Bacher, 13). So perhaps also Targum ולאֲפַחַא; cf. Onḳelos on מְרִיבוֹת נֶפֶשׁ = מְרַחֵן נֶפֶשׁ, Lev. 26. 16.

4. 18. מִפְּרָקְתּוֹ is rendered by LXX: ὁ νῶτος αὐτοῦ. Similarly R. Jonah, שְׁדֵרְתּוֹ (*op. cit.*, 414). So also R. Tanḥum.

5. 2. With the comments of the moderns on the placing by the Philistines of the Ark in Dagon's temple, cf. *Midrash*

ר' יוחנן אמר כבדוהו אמרו יבוא אלוה וישרה אצל אלוה: *Samuel*: ורשב"ל אומר . . . אמרו זה נצוה וזה נצוה יבוא נצוה וישתעבד לנוצח.

7. 16. LXX rightly paraphrase המקומות by τοῖς ἡγιασμένοis; cf. Driver's note (p. 66). So Estori ha-Parḥi in his כפתור ופרח (ed. A. M. Luncz, Jerusalem, 1897, p. 298), remarks: שמואל בחסידותו היה מבקר תמיד מקומות שהיתה בהם קדושה.

12. 15. Kīmḥi and Tanḥum recognized that ובמלככם is intended for ובאבותיכם, as in LXX. They endeavour to explain our text by the supposition that אב is here a title of the king.

22. The Vulgate's interpretation of הואיל—*iuravit* is also given by Rashi, who compares ויואל, 14. 25.

13. 1. Tanḥum already suggested that some numeral had fallen out after בן.

6. That by חוחים some subterranean hiding-place is meant (= חורים) was already noticed by R. Jonah, who remarks (*op. cit.*, 145): לפי הענין במערות והדומה להם.

12. The precise meaning of the phrase חלה פנים (cf. the *Oxford Gesenius*, 318) was already indicated in the remark of *Midrash Rabba*, Exod. 32. 11; ויהל משה עשה את המר מתוק.

14. 3. The identity of אחיה with אחימלך was already noticed by R. Isaiah, who remarks on 21. 2: הוא אחיה בן אחימלך הוא אחיטוב הכתוב לעיל בשאול הוא אחיה בן אחיטוב הוא אחימלך הכתוב וכו'.

18. The reading הג' ארון הא' for הגישה האפור cited by Aptowitzer (*Das Schriftwort*, I, 48) from ברייתא דמלאכת ברייתא, VI, seems to rest on an error derived from 23. 9. Cf. the latest edition of the *Baraita* by M. Friedmann, Vienna, 1908, p. 44 end.

45. The ancient Rabbis already took ויפרו in a literal sense, as contrasted with the paraphrase favoured by Rashi

and others. Cf. *Midrash Samuel*: אמר ר' אליעזר נתנו משקלו זזה ופראוהו.

15. 4. The identity of טלאים (ב) with טלם (Joshua 15. 24) is already suggested by R. Isaiah; cf. also Kimḥi.

5. Kimḥi's explanation of וירב as being a contraction of ויארב (cf. also *Miklol*, ed. Rittenberg, 85 b) agrees with the rendering of LXX: καὶ ἐνῆδρευσεν.

22. Ralbag declares the ותרפים in ותרפים to be otiose as in ורפיה, Gen. 36. 24; and in ורכב, Ps. 76. 7. He regards און as a construct noun dependent on תרפים as its genitive, parallel to חטאת קסם. This agrees with the rendering of Symmachus, ἡ ἀνομία τῶν εἰδώλων, following which most moderns read עון תרפים.

17. 18. The explanation of ערבתם as 'a token of their welfare' (cf. Driver's note) is already found in *Midrash Samuel*: דונם רידהון. Cf. also *Babli Shabbat* 56 a.

39. LXX renders ויאל—καὶ ἐκοπίασεν = וילא. Similarly R. Tanḥum: 'Meo iudicio inversum est e לאה quod legimus Gen. 19. 11.'

40. The omission of the *copula* in ויילקוט was already suggested by R. Isaiah: הוי"ו יתרה.

52. The reading by LXX of גת for גיא is also advocated by R. Tanḥum.

19. 11. Kimḥi and Ralbag explain לשמרו ולהמיתו substantially like LXX, though they do not declare the *copula* to be otiose. Cf. Ralbag: לשמרו שלא יצא משם כדי שיוכלו להביא אותו אליו בבקר להמיתו על ידי אחר מעבדיו.

22. Raba in *Babli Zebahim* 54 b sees in בניית ברמה a homiletical allusion to the Temple: שהיו יושבין ברמה ועוסקין בנבית של עולם. He thus connects נבית with נוי 'beauty,' not with נה 'habitation,' as stated by Aptowitzer, *op. cit.*, II, 40.

20. 25. R. Isaiah explains ויקם יהונתן as follows: קם יהונתן:

מצד אביו וישב לפניו יששם היה מושבו. וכך כתיב ויטל שאול . . . ודרך
המטיל מטיל לפניו. This agrees with the rendering of LXX:
καὶ προέφθασεν [αὐ]τὸν Ἰωναθάν, 'Jonathan was in front
of him' = ויקדם יה'. See Driver's note.

21. 6. Cf. Aptowitzer, *op. cit.*, II, 44, for the existence
in ancient Rabbinic citations of a reading מתמל for מתמל.

22. 4. R. Isaiah identifies the מצורה of this verse with
מצפה of ver. 3. This agrees with the reading of the Peshitta
adopted by many moderns. The same commentator
remarks on ver. 3: וסמך עליהם מפני רות שהיתה מואביה.

23. The emendation of the moderns, נפשי . . . נפשך
for נפשך . . . נפשי, was already anticipated by Kīmḥi, who
remarks: ויש לפרשו נפשי יבקש מי שיבקש את נפשך.

24. 11. Ralbag explains ואמר: אמר לבי תחלה. This
agrees with the rendering of the Vulgate, 'et cogitavi'.
R. Isaiah supplies עיני as subject to ותחם. So also Kīmḥi
in *Miklol*, 52 a. This agrees with the rendering of the
Vulgate: 'sed pepercit tibi oculus meus'. Cf. also the
comment in *Babli Berakot* 62 b.

14. The emendation of הקדמני for הקדמני is already
suggested by R. Tanḥum, who compares it with עמים = עמי,
2 Sam, 22. 44.

25. 3. Targum's explanation of כלבו 'a Kalebite' is also
given in *Midrash Samuel*, *ad. loc.*, and in *Yerushalmi San-
hedrin*, II, 3, where the reading is כלובי as in 1 Chron. 2. 9;
cf. Aptowitzer, *op. cit.*, II, 51. The interpretation of LXX,
κυνικός, is also found in Ralbag and R. Tanḥum. The
former observes: ר"ל שלרוב אכזריותו ה[ת]ה תכונתו כתכונת הכלבים:
שישנאים בני מיןם וינבחו להם בבואם ולא יניחום לאכול מהנמצא בבית
וואע"פ שלא ירע ממאכלם דבר.

6. On האלק ופחרנו לאחי: R. Isaiah remarks:
This agrees with the Vulgate: 'fratribus meis'.

11. The interpretation of מימי as ימי given by LXX is also found in Midrash Samuel : אמר ר' איבו כל מקום שנאמר : מיים יין הוא . So also R. Jonah in *Rikmah* (ed. Goldberg, 175). Cf. also Aptowitzer, I, 58.

14. The emendation of ויבעט for ויעט is already found in R. Tanhūm.

34. R. Jonah (cited in *Miklol*, 106b) already suggested that ותבאי was an error for ותבאי.

26. 6. On the question why Abishai and his brothers are always designated by the name of their mother Zeruah, and not by the name of their father, cf. the Responsum of R. Hai in *השבות הנאותים*, No. 12 (Lyck, 1864), and also Kimhi in 2 Sam. 3. 39.

28. 3. The omission of the *copula* in ובעירו is also suggested by R. Isaiah : הו"ו יתר . But if so ברמה should have followed בעירו as in 2 Sam. 15. 12 ; Judges 8. 27. As a matter of fact such a reading is given by Aptowitzer, I, 60 from an ancient Rabbinic citation.

31. 3. The transposition of אנשים before המורים was already proposed by R. Isaiah, who remarks : מקרא מסורס הוא : אנשים המורים בקשה.

With the rendering of LXX and Vulgate of ויחל cf. the comment of the Massorah, ליינן חולי.

II 1. 1. R. Isaiah proposes to omit the article in העמלק : יתירה , as is done by LXX and Vulgate.

9. The rendering by Aquila of השבין : ὁ σφινδακφίς (cf. Driver's note) may be compared with the explanation of R. Jonah (*Book of Roots*, 495), who also connects it with the root שבין in Exod. 28. 39, which he interprets as רקמה וציון ,—i.e. embroidery work of loophole formations. He adds in explanation of our passage : תפשני העיון רצוני לומר [ההקפה] שהקיפוהו אנשי המלחמה : וסבבוהו .

19. R. Isaiah says: **הצבי ישראל מקרא מסורס הוא ישראל** : שהיית קל כעבי ועתה נפלת הלל. This agrees partly with the rendering of the Peshitta and many moderns.

21. **הרים שבנלכוע** is paraphrased by Rashi exactly as LXX, B. R. Isaiah, on the other hand, says: **כמו הרי הנלכוע** which agrees with Targum, LXX, L, and Vulgate.

The two rival interpretations by the moderns of **בלי משיח** are both found in our commentators. Rashi and Ralbag refer it to the shield, citing Isa. 21. 5. R. Isaiah refers it to Saul himself: **מנן שאול נחלש כאילו לא היה שאול** : מושח בשמן המשיחה שמשחו שמואל ולא עמדה לו משיחתו להנצל. So Vulgate: 'quasi non esset unctus oleo'.⁴⁶ Kimḥi offers the choice of both these interpretations.

24. The moderns seek in **ערנים** some article of dress, proposing to read with LXX **עדיים**, or **סדינים**. It is interesting to note that R. Isaiah explains **ערנים** to be equal to **ענדים** by metathesis, viz.; bands, sashes: **כמו ענדים על** ; גרגרותיך והוא כמו שמלה שלמה ; cf. also מערנות, 1 Sam. 15. 32 ; Job 38. 31. An ancient Rabbinic reading **ערי** for **ערנים** is cited by Aptowitzer, III, 6.

2. 4. On **אנשי יבש**, &c., Kimḥi remarks: **[לאמר]** או הוא הפוך, אשר אנשי יבש קברו, which agrees with LXX.

6. **נמול הטובה הזאת** is explained by Rashi: **תחת הטובה ה'**. This agrees with the modern emendation **ה'**.

24. Kimḥi explains the name **אמה** by the remark **אולי היתה אמת המים בצד הנבעה**. This agrees with Theodotion's rendering *ὕδραγωγός*, Vulgate *aquae ductus*.

3. 3. The connexion of **כלב** with **כלאב**, i.e. with Nabal (cf.

⁴⁶ This improbable interpretation has recently been revived by Prof. E. Barnes in the *Journal of Theological Studies*, vol. XVI, 396. His explanation of **הצבי** (ver. 19) as a vocative is already found in Kimḥi, R. Tanḥum, &c.

pated by R. Jonah, who says (*op. cit.*, 231): פִּירְשׁוּ בּוּ בְעָלֵי [חצים וקלעים ואינם אצלי אלא] שתי משפחות שאינם מישראל והקרוב שהיו לו בחילו אנשים משתי המשפחות האלה כמו אתי הנתי ואנשי.

10. 7. R. Isaiah comments: ה"א של הצבא יתרה. This agrees with Targum, LXX, L, and Vulgate; cf. 1 Chron. 20. 8; also Aptowitzer, III, 29. Kimḥi explains הצבא as in opposition to הנבורים, comparing with העם המלחמה, Joshua 8. 11, and then adds: או פי' הצבא והנבורים. This is the view of most moderns.

12. 21. עבדור הילר כשהיה is explained by Kimḥi: חי צמח. So LXX and Vulgate. R. Jonah, however, remarks (*op. cit.*, 352) (בעבדור) הוא במקום בעוד, which agrees with Targum, LXX, L, and the moderns.

30. מלכם was already explained by the ancient Rabbis (*Babli* 'Abodah Sarah 44a) as being identical with Milkem the god of the Ammonites; cf. also Rashi, and Aptowitzer, III, 36.

13. 2. Kimḥi, following the accents, refers כי בתולה היא backwards. Rashi, on the other hand, makes the phrase point forwards: כי מפני שהיא בתולה היתה צנועה בבית ואינה יוצאה לחוץ לפיכך ויפלא ונו' זה סבה. Kaspī, however, combines the two interpretations: פועלת תשרת למה שלפניו ולמה שלאחריו (*op. cit.*, 36).

14. 10. Kimḥi would point והבאתיו, as the moderns do: היה לו לאמר . . . והבאתיו בחירק התי"ו כי לנקבה הוא מדבר.

26. The ancient Rabbis already saw a religious significance in Absalom's shearing of his hair; cf. *Babli Nazir* 4b: רבי אומר אבשלום נזיר עולם היה; cf. also Kimḥi and Ralbag.

15. 12. Kimḥi proposes to insert ויקח before את אח'.

19. R. Isaiah explains למקומך : במקום מ"ם : בא הנה הלמ"ד במקום מ"ם : as is read by most Versions and the moderns.

34. R. Isaiah remarks : מקרא מסורס הוא אני אהיה עברך ; and further : הו"ו של ואני הראשון והאחרון יתיר. Similarly *Kimḥi* and most moderns.

16. 12. The emendation בעוני for בעניי is also suggested by Menahem ben Saruḡ ; cf. Aptowitzer, III, 50.

17. 28. The repetition of קליא is thus explained in *Babli 'Abodah sarah* 38 b : the first consisted of parched corn and the second of parched pulse ; cf. also our commentators. Similarly Vulgate translates the first by *polenta*, and the second *frixum cicer*.

19. 43. נִשָּׂא is explained by R. Jonah (*op. cit.*, 322), Rashi and others as a substantive on the analogy of מלאת (Cant. 5. 12 ; cf. *Kimḥi*). This agrees with the rendering of the Versions. R. Jonah offers also another explanation, viz. that the form is an infinitive with the addition of the final ה on the analogy of verbs ל"ה and pointed irregularly like נִאֵן in 12. 14. Similarly some moderns take the form as an infinitive, emending it, however, into נִשָּׂא.

20. 4. Ralbag and R. Isaiah already connect שלשת ימים with clause b ; cf. Driver's note.

6. Rashi explains והציל עצמו מעינינו : והציל עינינו. Similarly Vulgate : ' et effugiat nos '.

8. Kaspi (*op. cit.*, 41) comments on והוא יצא : הכל רמו : לחרב כלומר והחרב יצא [ה] מן תערה exactly as LXX. Cf. also our note *ad loc.* in this REVIEW, vol. X, p. 234.

14. Both Ralbag and R. Isaiah connect וכל הברים with what follows. The former identifies הברים with the inhabitants of בארות בנימין.

21. 4. R. Isaiah remarks : מקרא מסורס הוא להמית איש בישראל : So LXX, L, and Vulgate.

6. The ancient Rabbis already thought it strange that the Gibeonites should have styled Saul 'בַּחִיר ה'. Cf. *Babli Berakot* 12 b, and also Rashi and Ḳimḥi here.

14. The reading of the Vulgate בעלע for בצלע is also found in Rabbinic authorities, cf. Aptowitzer, III, 70.

16. הרפה is explained by R. Jonah (*op. cit.*, 484) and Ḳimḥi as equal to הרפאים = הרפאים; cf. Targum, and 1 Chron. 20. 4 (Ketib). Contrast *Babli Soṭah* 42 b, *Sanhedrin* 95 a. R. Isaiah seeks to combine the two interpretations.

Ḳimḥi and R. Isaiah explain חרשה as חרשה as in the Vulgate: *ense novo*.⁴⁷

23. 5. R. Tanḥum already takes חפין to be equivalent to חפצי: *Scribendum erat חפצי*, sed *pro* omisum est quemadmodum factum est in עוי וזמרת יה, *Exod.* 15. 2.

11. לחיה is explained by R. Isaiah as שם מקום, which agrees with the modern interpretation.

24. 22. For the meaning of מורנים, cf. *Babli 'Abodah zarah* 24 b; *Zebahim* 116 b and Rashi, *ibid.*

⁴⁷ Ḳimḥi adds the interesting remark borrowed from mediaeval chivalry: שאותו היום נתחנך ללבוש בלי המלחמה ודרך המחונכים לעשות נצחון 'That day he was initiated to carry arms, and it is the custom of the initiated to perform an act of triumph and heroism on the day of their initiation, in order to acquire fame; therefore "he said to smite David"'.

V

THE CHRONOLOGY OF DAVID'S REIGN.

THE reign of David was crowded with important events both at home and abroad. But the record of these events presented to us in the Second Book of Samuel is not always arranged in strict chronological order. This circumstance may be ascribed to various causes—first, the deficiency in the ancient historian of what we regard to-day as the proper historical perspective; secondly, the composite character of the history, which is responsible for the appearance of comparatively early events at the very end of the book (chaps. 21, 24); thirdly, the summary character of some of its chapters (e.g. chaps. 5, 8), which necessitated the grouping together of events which are related or similar in their nature, though quite unconnected in respect of the time of their occurrence. The result is that a good deal of uncertainty prevails among writers on the period as to the correct sequence of the events of David's reign. We may, therefore, be permitted to make here a fresh attempt at a chronological scheme of David's reign in accordance with some of the results obtained in our previous STUDIES.

The length of David's reign is given as 40 years (2 Sam. 5. 4; 1 Kings 2. 11). That this number is meant to be taken literally and not merely as an indefinite round number like the number 40 years in the Book of Judges, is proved by the distribution of parts of the number between David's residence at Hebron and in Jerusalem. 7 years

and 6 months were spent at Hebron and 33 years in Jerusalem. This gives us really a total of $40\frac{1}{2}$ years, but it is possible that the reign in Jerusalem lasted some months less than 33 years. It may be noted that LXX, L actually alters the text in 2 Sam. 5. 5, and writes 32 years and 6 months in place of 33 years of MT. In 1 Kings 2. 11, however, the residence at Hebron is given as only 7 years, 2 years of David's reign at Hebron synchronized with the 2 years' reign of Ishbosheth at Mahanaim (2 Sam. 2. 10). This would leave us with an interregnum in Israel of 5 years; cf. *Seder 'Olam*, ch. XIII: נמצא מלכות ישראל בטלה חמש שנים. So also Kimhi in 2 Sam. 2. 11. It is, however, difficult to believe that fully 5 years had elapsed before Israel resolved to offer the vacant throne to David, seeing that they had already empowered Abner to make that offer on their behalf during the life-time of Ishbosheth (2 Sam. 3. 19). Another alternative is, as Ralbag remarks (see his full discussion on 2 Sam. 2. 10), that a period of 5 years had passed between the death of Saul and the appointment of Ishbosheth. But while it may be conceded that some time may have elapsed before the Israelites had so far recovered from the great disaster at Gilboa as to re-establish their monarchy, it is very improbable that the interregnum between Saul and Ishbosheth could have lasted for fully five years. David would certainly have taken full advantage of such a prolonged state of anarchy in Israel to extend immediately his rule over the tribes adjoining the Judean territory. Again, some critics seek to overcome the difficulty by denying the accuracy of the statement that the reign of Ishbosheth lasted only 2 years. The reign of Saul is also given as 2 years (1 Sam. 13. 1), which is certainly an error. In fact, 2 Sam. 3. 1 would

seem to favour the assumption that Ishbosheth reigned for a longer period than 2 years. But, on the other hand, we have no right to set aside lightly a positive statement in the text, unless forced thereto by irrefutable proofs, as in the case of Saul's reign.

It seems to the present writer that the true solution of the difficulty is to be found in the assumption that David's removal to Jerusalem took place some years after his anointment as king over all Israel. A little consideration will show that this view is the only one which accords with the circumstances of the situation. It is expressly stated by the historian (2 Sam. 5. 17 a), and the statement is accepted by most moderns, that the Philistine War broke out immediately on David's anointment as king over all Israel. This war was very protracted and characterized by much heavy fighting, which at first went against David (cf. 2 Sam. 5. 17 b; 22. 15-21; 23. 9-17). It is evident that some time, probably two years, must have elapsed before David found himself strong enough and secure enough from further Philistine attacks to lay siege to and to capture the Jebusite stronghold. We therefore conclude that the reign of Ishbosheth really lasted no more than 2 years, and that the throne of Israel passed over to David shortly, say within one year, after the murder of Saul's son, but that David continued to reside at Hebron for some years longer, until he had gained a decisive victory over the Philistines, which enabled him to capture Jerusalem and to make it his capital. It is true that the wording of 2 Sam. 2. 11; 5. 5 seems to imply that David's rule at Hebron was confined to Judah alone. But we must not interpret this wording too literally. It may be that the expressions על יהודה, על יהודה are to be

connected with מלך rather than with the number of years following them. The historian wishes to emphasize the fact that the rule at Hebron was, at least originally, over Judah alone, as contrasted with the rule in Jerusalem, which was over the whole united nation. Again, it may be that a year elapsed between the death of Saul and the proclamation of Ishbosheth, and another year between the death of Ishbosheth and the anointment of David over all Israel. Thus the major portion of David's rule at Hebron—4 years out of $7\frac{1}{2}$ —was over Judah alone. Moreover, the best part of the $3\frac{1}{2}$ years which followed the anointment as king over Israel was spent in fighting with the Philistines and the Jebusites. During those dark days David was forced to evacuate Hebron and to seek refuge in the cave of Adullam in the borderland of Judah (cf. 2 Sam. 5. 17 b, with 23. 13, 14). All the fighting was carried on in Judah and, it would seem, by the men of Judah, with little or no help from the Israelitish tribes, as is proved by the list of heroes in 23. 8 ff. which contains almost exclusively the names of men hailing from the South (see our remarks in this REVIEW, vol. X, p. 235, note on 23. 32). Thus, though David had been anointed king over all Israel some $3\frac{1}{2}$ years before he removed from Hebron, yet his rule during these $3\frac{1}{2}$ years must have been practically confined to Judah, as stated in 2. 11; 5. 5.

We may now enumerate in their proper sequence the principal events of the first period of David's reign, during which he acquired and consolidated his rule over all Israel. His anointment as king over Judah immediately after the death of Saul was followed by the proclamation of Ishbosheth at Mahanaim. About two years later came the death of Abner at the hands of Joab, and soon

afterwards the murder of Ishbosheth. Then came David's anointment as king over all Israel, followed by the outbreak of the first Philistine war (5. 17-21). After the decisive defeat of the Philistines at Ba'al Perazim came the capture of Jerusalem and David's removal thither from Hebron (see this REVIEW, vol. IX, p. 46, § 91). This was followed by the embassy of Hiram and the erection of David's royal residence (5. 11). Then came the second Philistine war, with the second great victory in the Vale of Rephaim, which was followed by the final subjugation of this formidable foe (5. 22 ff.; 8. 1). Next came the removal of the Ark to Jerusalem (6. 1 ff., cf. this REVIEW, *loc. cit.*, p. 47), by which the new capital became established as the great religious centre of the nation. The concluding event of this period is the incident described in chap. 7, which occurred in a time of profound peace and repose after years of hard toil and fighting (7. 1). As shown in a previous Study (see this REVIEW, *ibid.*, § 92) the expression מכל איביו must not be taken with strict literalness, since Nathan's prophecy was delivered before the birth of Solomon which it predicted, i.e. before the outbreak of the Ammonite war (cf. 7. 10a, 11a β, 12-13).

We next get another closely connected series of events of which the first was the searching out by David of Mephibosheth and his settlement in Jerusalem (chap. 9). We may plausibly assume that David would not have instituted his search for Saul's descendants before he had firmly established himself on the throne of Israel; and on the other hand that he would not have delayed the performance of this act of piety to the memory of his friend Jonathan longer than was absolutely necessary. The settlement of Mephibosheth in Jerusalem must therefore

have taken place after the subjugation of the Philistines, and also after the establishment of the Ark in Jerusalem, and probably also after Nathan's prophecy (chap. 7), but before the opening of the period of expansion through foreign conquests. Now we learn from 4. 4 that Mephibosheth was five years old at the death of Saul. But at his coming to Jerusalem he had already a young son (9. 12). Therefore he must have been at least twenty years old when he came to Jerusalem. It follows that the coming of Mephibosheth to David's court must have taken place not earlier than the fifteenth year of David's reign.

The next important event we reckon to have been the great Famine recorded in 21. 1-14. This calamity must have occurred after David's discovery of Mephibosheth (cf. 21. 7, and see this REVIEW, *ibid.*, §§ 100, 109, pp. 54, 62), but before Mephibosheth had fallen into disgrace during Absalom's Rebellion (16. 1-4; 19. 30). For David would not have been so anxious to save Mephibosheth after he had accepted Ziba's calumny. But it is evident from 24. 1a (see Driver's note and cf. this REVIEW, *ibid.*, § 109, p. 63) that the Famine was followed shortly afterwards by the Census. Now, from the fact that the Census was conducted by Joab and the captains of the host (24. 2, 4) and that it was confined to men of military age (ver. 9b), it is evident that the Census was undertaken for military purposes. It seems that the Census really marked the opening of the period of political expansion and foreign conquest which occupied the middle part of David's reign. David had now secured the safety of the kingdom by the subjugation of its only formidable enemy, the Philistines. He had consolidated his rule over Israel by making Jerusalem the political and religious capital of the united nation. His ambition and the adventurous

spirit both of himself and his warriors would not, however, be satisfied with these achievements. His mind was bent upon a policy of aggression and conquest abroad. In order to carry through such a policy it was necessary to ascertain the military strength of the nation, for which purpose the Census was undertaken. Thus the Census was the preparation for a war abroad. But against whom was this war to be directed? Not against the Philistines, for their power had already been completely broken. Nor against the Ammonites and their allies, for the Ammonite war was sprung upon David quite unexpectedly, and was provoked by the Ammonites themselves. Nor, finally, against Edom, for the Edomite war seems to have been the last of David's foreign wars. We are therefore led to the conclusion that the war for which the Census was a preparation was to be directed against the Moabites, who, as a matter of fact, follow immediately upon the Philistines in the list of conquered nations given in chap. 8. We do not know the origin of the Moabite war. But from the severity with which it was conducted it is evident that David's purpose was the total and permanent subjection of Moab to the Israelitish rule, a purpose which he accomplished most successfully (see this REVIEW, *ibid.*, p. 51, § 95). It is plausible to assume that it was this conduct of David towards their neighbours and kinsmen which inspired the Ammonites with fear and suspicion of David's secret designs against their country, and impelled them to adopt a policy of hostility and provocation towards Israel. They felt, no doubt, that David's professed friendship for their king would not prevent him from attacking their country when he found it convenient to do so, any more than his obligations to the royal house of Moab

prevented him from destroying the Moabites and their independence.

We thus conclude that the Census was the preliminary of David's foreign wars. Some writers, however, who accept the reading of LXX, L in 24. 6: *החתיים קרשה* for the corrupt *תחתים חדשי*, have seen in the description of the itinerary of the enumerators (24. 5-7) a proof that the Census took place after the expansion of the boundaries of the kingdom through the Armenian and trans-Jordanic conquests. But it is evident from 24. 9 that the Census was confined strictly to Israel and Judah and did not include any of the conquered nations. The reading of LXX, L in ver. 6 is altogether improbable (see Driver's note *ad loc.*). For apart from the extreme distance of the Hittite Kadesh, it may be asked why the itinerary should have included that city of the Hittites and none of the border cities of the other subject nations such as the Philistines, Edomites, or Ammonites. As a matter of fact, all the other places enumerated in the itinerary marked the boundaries of purely Israelitish territory, including, of course, also the original inhabitants of Canaan, who had by that time become more or less absorbed into the Israelitish stock.

We may now endeavour to fix the dates of these events. We have seen above that the coming of Mephibosheth to Jerusalem, which preceded the Famine, took place not before the fifteenth year of David's reign. The Famine may have begun immediately afterwards and lasted till the year 18. Allowing for a short period of recuperation between the Famine and the Census, we may fix the latter event at the year 20 in David's reign. The war with Moab may have taken place in the year 21, and this was followed by the great Ammonite War. The exact date of this latter war

will depend on the age which we assign to Solomon at his accession to the throne of his father. According to *Seder 'Olam*, chap. XIV (reproduced by Rashi and Kimḥi on 1 Kings 3. 7)⁴⁸ Solomon was twelve years old at the death of his father. But this figure is obtained by a purely artificial calculation. Josephus (*Antiq.*, VIII, 7, 8) implies that he was fourteen years old. But it is incredible that a child, however precocious, would have been capable at such a tender age of the wisdom and circumspection, the firmness and resoluteness which Solomon displayed immediately after the death of his father in dealing with his powerful opponents (1 Kings 2. 23-46). Note also that his father at his death calls him **אִישׁ חָכָם**. On the other hand, the age of twenty years assigned to him by Abrabanel on 1 Kings 3. 7 is much too high. Solomon calls himself some time after his accession **נַעַר קָטָן** (*ibid.*). He plays a purely passive rôle throughout the drama which led up to his anointment (1 Kings 1. 5-49). And, finally, the confident presumption displayed by Adonijah in claiming the hand of Abishag can be explained satisfactorily only by the extreme youthfulness of Solomon. We may thus conjecture that Solomon was sixteen years old at his anointment. Now Solomon was born two years after David's sin with Bath-sheba (cf. 2 Sam. 11. 27 and 12. 15, 24). The sin took place during the siege of Rabbah, or a year after the outbreak of the Ammonite War (cf. 2 Sam. 11. 1a with H. P. Smith's note in his *Samuel*, 317 f. See also Kimḥi *ad loc.*). Hence Solomon's birth took place three years after the outbreak of the Ammonite War. Assuming that he was sixteen years old at his anointment, then the Ammonite War began nineteen years before Solomon's anointment, or in the year 21 of David's reign, i. e. in the

⁴⁸ Cf. *ZATW.*, II, 312-14; III, 185.

same year as, but subsequently to, the Moabite War. This would tend to prove that, unlike the wars against Ammon and Edom (cf. 1 Kings 11. 15-16), the Moabite War was only of a short duration.

We may now set down the order of events in David's foreign wars as follows: First came the Moabite War, and then the great Ammonite—Aramean War. This latter was marked by the following stages: the insult to David's ambassadors; the battle with the combined forces of Ammon and their Aramean mercenaries; the battle at Helam against the Arameans alone (2 Sam. chap. 10); the invasion of Ammon and the siege of Rabbah (11. 1 ff.); the fall of Rabbah (12. 26-31); the invasion of Zobah and Damascus (8. 3 ff.; cf. this REVIEW, *ibid.*, p. 92, § 96); and finally the embassy of To'i (8. 9-10). The last of the foreign wars was the invasion and subjugation of Edom (cf. 8. 13-14 with Driver's note; 1 Kings 11. 15-16; Ps. 60. 2. See also W. Jawitz, תולדות ישראל, II, 167-9).

The last series of events in David's reign are concerned with the history of his family life. Some of these events synchronize with the foreign wars. Thus the sin with Bath-sheba took place during the second year of the Ammonite War. The birth of Bath-sheba's first child came nine months later, and that of Solomon one year after that. The violation of Tamar must have taken place not long after the sin with Bath-sheba. Both the fall of Rabbah and the violation of Tamar probably occurred before the birth of Solomon, though in our narrative they are given later. Two years after the violation of Tamar came the murder of Amnon and the flight of Absalom to Geshur (13. 23 a). Absalom's return came three years later (13. 38), his formal reconciliation with his father two years after his return (14. 28), and four years later his Rebellion (15. 7.

For ארבעים שנה we must read with LXX, L and Peshiṭta : (ארבע שנים). Thus the Rebellion of Absalom took place eleven years after the violation of Tamar. If we assume the latter event to have occurred one year after the sin with Bath-sheba, i.e. in the year 23 of David's reign, then the Rebellion took place in the year 34, i.e. when David was sixty-four years old. This would accord admirably with the physical and mental characteristics displayed by David during the Rebellion. The age of Absalom at his death would thus have been no higher than thirty-two years. For we learn from 3. 2 a, 3 b that Absalom was born from the daughter of the king of Geshur during David's residence at Hebron. Now David could have secured a foreign princess for wife only after his appointment as king over Judah. Thus at the earliest Absalom's birth must have taken place at the end of the second year of David's reign.

The following Chronological Table summarizes the results of our foregoing inquiry. The figures denote the number of years of David's reign :

Anointment of David as king over Judah.		The Famine	15-18
Proclamation of Ishbosheth	1	The Census	20
Birth of Absalom	2	War with Moab	21
Death of Ishbosheth	3	War with Ammon and Aram	21
Anointment of David as king over all Israel	4	Sin with Bath-sheba	22
First Philistine War	5	Violation of Tamar	23
Capture of Jerusalem	7	Fall of Rabbah and Invasion of Zobah and Damascus	24
Removal of royal residence to Jerusalem	7½	Birth of Solomon	24
Alliance with Hiram	8	Murder of Amnon and flight of Absalom	25
Second Philistine War	9	Return of Absalom	28
Bringing up of the Ark to Jerusalem	10	David's Reconciliation with Absalom	30
Nathan's Prophecy	12	Rebellion of Absalom	34
Coming of Mephibosheth to Jerusalem	15	Anointment of Solomon	40
		Death of David.	

NOTE.—The previous Studies of this series appeared in this REVIEW as follows: I, vol. V, pp. 201-231; II, vol. VI, pp. 267-302, 555-587, vol. VIII, pp. 75-100, vol. IX, pp. 43-70; III, vol. X, pp. 203-236.

THE RABBINATE OF THE GREAT SYNAGOGUE,
LONDON, FROM 1756-1842.

BY DR. C. DUSCHINSKY, London.

II.

Rabbi David Tevele Schiff.

R. ZEVI HIRSCHEL LEWIN left London for Halberstadt in the spring of 1764, and the London community was not long in finding a successor, for in 1765 we see R. Tevele Schiff already installed as Rabbi of the Great Synagogue in Duke's Place. Chiefly instrumental in bringing off his election was Aaron Goldsmith (Goldschmidt), the founder of the well-known Anglo-Jewish family, to whom his uncle, a certain R. Johanan, had recommended the Rabbi. He is styled by Rabbi Tevele as cousin in a letter which he wrote to his brother R. Meir on Adar 21, 1776 (App. V, Letter I). A certain Rabbi Meir Hanover was likewise one of those who helped his cause by writing to friends in London.⁶⁰ We only know of one competitor, who tried hard to succeed R. Hirschel, and that was his cousin R. Meshullam Zalman, son of Rabbi Jacob Emden of Altona, who ultimately was chosen as Rabbi of the Hambro Synagogue, and came to London likewise in the year 1765. R. Jacob Emden in his Autobiography gives us some interesting details with reference to this election.⁶¹ He says: 'In the month of Nisan of the same year (1765) my son Rabbi Meshullam Zalman

⁶⁰ See letter I in Appendix V.

⁶¹ מנילת ספר, ed. Kahana (Warsaw, 1896), p. 209 ff.

was elected as Rabbi (אב בית דין) of the Hamburger congregation in London, likewise a result of my activity and endeavours for some time past, and after I nearly gave up every hope for it. For he had many opponents on the part of the Synagogue in Duke's Place, which separated from the community (!) and elected another Rabbi, R. Tevele Schiff from Frankfort-on-the-Main. It was, however, from God, and so all the plotting and obstacles, the opposition placed in my son's way, could not frustrate his election. Even after he had duly been elected they conspired against him, and people wrote me letters threatening that, if he came to London, they would attack and abuse him. All this was done at the instigation of that man "Laze" (ל'זע), a pupil of "that man" who made special efforts and wrote me letters, full of perversions and untruths, with the intention of frightening me so that I should prevent my son from accepting the position. The congregation of the Hamburg Shool (Synagogue), however, was anxious to have him, and they had warned me beforehand to take no notice of that shameful letter. He visited us here, and remained during the past Shabuot festival, and all the most notable men of the three Kchillahs (Hamburg, Altona, and Wandsbeck) gave evidence of the respect they felt for him. He left us and entered upon his duties in London at the middle of Tammuz, and was welcomed with great honours and with joy. I have since heard that even his former enemies have now become his friends. May God grant that he rise higher and higher and be blessed with children.' ⁶²

It appears from this note that the London community had originally intended to appoint one Rabbi only for both

⁶² Apparently Meshullam Zalman had no children.

Synagogues, in the same way as Rabbi Zevi Hirschel had filled both offices simultaneously. Jacob Emden had endeavoured to secure this position for his son, but the more important part of the community was opposed to him, and they elected R. Tevele Schiff for Duke's Place. Emden's party afterwards succeeded in appointing him as Rabbi of the Hambro-Shool. The man Laze, or Lazar, mentioned in Emden's note, was an adherent of the Baal-Shem Samuel Falk, a cabbalist and mystic, who lived in London for about forty years until his death in the year 1782, and Emden may refer to Falk when he says that Laze was a pupil of 'that man'.⁶³ We cannot tell whether Falk had a great following in the community, but at the end of his days we know that he was well disposed towards R. Tevele, as he bequeathed him an annuity of £10.⁶⁴ Also another member of the Beth Din, R. Abraham of Nancy, is benefited by the same Will to the extent of fifty guineas.⁶⁵ The man Laze is often mentioned in MS. Adler, No. 2241, which comprises the most interesting diary of Falk's factotum, 'Zevi Hirsch son of R. Isaac (Isik) the Levite Shtadlan of Kalisch', written in the years 1747-51. This Zevi b. Isaac styles the man 'Laze Levi of Hamburg' or *הרומ לזע* (the windy Lazar), and it appears that this Laze was sent by Falk on secret missions to Germany and Holland, but was nevertheless very often in dire poverty,

⁶³ The reference may, however, also mean Eybeschütz, whom Emden often calls *אחיו איש*.

⁶⁴ The Will says: 'To the High Priest of the Great Synagogue for the time being, whoever he may be, Ten Pounds Ten Shillings annually . . .'; see *J. Hist. Soc. Engl. Transact.*, VIII, Misc., p. xlviii.

⁶⁵ 'To Mr. Abraham the son of Solomon, usually called Abraham Nancy.' He signs, however: 'Abraham Hamburger of Nancy' in the document of testimony dated 5 Elul 1783 and 26 Elul same year. See Appendix V.

although he had a well-to-do relative in London called Selig of Hamburg. Whole pages of the MS. are devoted to the debts which Laze made by borrowing from Falk's servant various smaller sums. It is not unlikely that Laze opposed the election of the son of R. Jacob Emden, who was known to be a bitter opponent of every cabbalist and mystic. Lazar Hamburger's daughter, Sarah, married Benjamin Wolf Franklin of Breslau, the ancestor of the Franklin family, in London on August 28, 1765. Mr. Arthur Franklin in his 'Records of the Franklin family' (London, 1915), p. 11, reproduces the tombstone inscription of Lazar Hamburger's father. According to Mr. Franklin (*ibid.*, p. 10) this 'Eleazar Leiza' was known as Lazarus Joseph. Although the Ḥalizah-letter to which he refers does not call him Leiza, but אֵלְעָזָר לֵיזֶר, i.e. 'Lezer', there seems little doubt that he was identical with the Laze mentioned in Emden's autobiography, who was the follower of the cabbalist Falk. The letter of Ḥalizah to which Mr. Franklin refers, and which he has shown me, is dated Breslau, 28th of Kislev, 5526 (1765), and is an undertaking by Asher Antshel and David Franklin, brothers of Benjamin Wolf Franklin, to give Ḥalizah to the latter's wife should he die without leaving issue. Neither of these brothers, however, signed the document, the signatories of which are Samuel ben Eliezer, scribe of the Breslau community, and Asher Lemel ben Isaac, the beadle of that congregation. They address the document to 'The great Rabbi, who was formerly in Podhaice and is now Rabbi in London', namely, Rabbi Meshullam Zalman Emden. As time went on, the opponents of Emden's son seemed to have increased in number, contrary to what Emden writes in his diary, and Meshullam Zalman was ultimately compelled to leave

London. We learn this from a letter of R. Tevele to his brother, dated 1st Ijjar, 1780,⁶⁶ in which he writes that R. Meshullam had implored his congregation to let him remain in London, but they insisted upon his leaving the country, and agreed to give him an annuity of £50, and so 'he is leaving during this week'. He appears to have gone to Stary-Constantinow in Russia.⁶⁷

Rabbi Tevele, on the other hand, was apparently well-liked in his community. He was descended from a family

⁶⁶ See Appendix V, Letter 4.

⁶⁷ Opinion of Prof. G. Deutsch. Cf. also my *Jacob Kimchi and Shalom Buzaglo*, p. 20 (London, 1914). There is an 'Order of Service' extant, in the possession of Mr. E. N. Adler, for 'The Fast-Day held by Command of the King on the 13th of December 1776', in which R. Meshullam Zalman is mentioned as author of the Hebrew Prayer said on that occasion. The title pages read as follows:

Page 1 a

סדר תפלה ליום תענית שצוה אדונינו המלך ירום הודו ביום ששי
בשבת ג' ימים לחדש טבת שנת התקל"ו ליצירה בבית הכנסת של ק"ק
אשכנזים יע"א בלונדון, בבית ובדפוס אלכסנדר בר יהודה ליב זצ"ל.

Page 2 a

'A Form of Prayer composed by the Reverend and Most learned Rabby Israel Meshulam Solomon D.D. Rabby of the Jews Synagogue in Magpy-Alley Fen-Church Street and of the New Synagogue in Leadenhall Street. To be used on Friday the 13th day of December 1776. For success of His Majesty's Arms according to His Majesty's Proclamation. Faithfully translated by Alex. Alexander, Printer, and sold by the Translator No. 78 White Chapel High Street.'

The booklet consists of sixteen pages in 8vo. The sermon preached on that occasion was likewise printed by A. Alexander and consists of twelve paragraphs which fill twenty-seven octavo pages. The title reads: A | Sermon | Preached | On Friday the 13th of December 1776 | by the Reverend Israel Meshulam Solomon | Rabby of the Jews Synagogues in Church Row | Fen-Church Street and Leadenhall Street | Being | a Moral Discourse | Suited to the Solemn Occasion of the Day | Appointed by Royal Proclamation | For | a General Fast | To pray for the Success of His Majesty's Arms. | A Free translation from the Hebrew | . Printed by A. Alexander &c. (as on the Order of Service). E. N. Adler possesses a copy of this sermon (cp. Wolf-Jacobs: *Bibl. Angl. Jud.*, p. 190).

of Rabbinical scholars. The famous Rabbi Meir Schiff of Fulda, author of *חידושי מה"רם שיק*, who died in 1641 at the age of thirty-six, was also a member of this family.⁶⁸ According to Dietz there were two branches of this family in Frankfort, the one descended from the head of the Frankfort Yeshibah, Jacob b. Beifus Cohn zum Wedel (died 1655). This branch became extinct in 1714. R. Tevele was a descendant of Jacob Cohn's brother Isaac, who lived in the house called 'zum Schiff' (thence the family name Schiff), and died in the year 1656.⁶⁹ His grandson, Moses Meyer Schiff, was a wealthy man, and lived in the house called 'zum grünen Schild', which remained the property of the family until the death of his grandson, Solomon Schiff, R. Tevele Schiff's father, in 1777 (22 Adar II).⁷⁰ The well-known philanthropist, Jacob H. Schiff of New York, is a descendant of another son of this Moses Meyer, namely of Joseph Moses, called Josbel Mayer Schiff, likewise of the house 'zum grünen Schild'. After the death of Solomon Schiff, his sons R. Tevele, then already Rabbi in London, and R. Meir Dayyan in Frankfort, sold their interest to Meir Rothschild, the ancestor of the Rothschild family. The minute-book of the Frankfort Beth-Din records a dispute between the vendor R. Meir Schiff and the purchaser, the former insisting upon payment of the balance of the purchase money in gold coin, while Meir Rothschild insisted that he need only pay in 'minz'

⁶⁸ See Loewenstein, *Gesch. d. Jud. i. d. Kurpfalz*, p. 153; Dietz, *Stammbuch d. Frankf. Juden* (1907), p. 258; Horowitz, *Frankf. Rabb.* (= FR.), vol. III, pp. 38-40, and *Frankfurter Grabinschriften* (= FG.).

⁶⁹ His son Bendit died 4th Tammuz 1660. Hor., FG., No. 864.

⁷⁰ Hor., *ibid.*, No. 3572, where he is styled *הישיש* = the venerable. Dietz states as his birth date 1730, which cannot be correct, as in 1777 his son R. Tevele was already more than forty-seven years old (see later).

money, which was less than the gold currency. There was also a dispute between the parties with reference to the ground rent (called 'Grundzins'), which R. Meir Schiff contended was not to be allowed to the purchaser until it actually became due, while the purchaser required allowance for it at once. The minutes mention that half of the house had been the property of the London Rabbi Tevele Schiff. The house 'Grünes Schild' was already in existence in the year 1608, as mentioned by Schudt (*Jüd. Merkwürdigkeiten*, III, p. 147), and it is also in his list of houses of the Frankfort Judengasse of the year 1611 (*ibid.*, pp. 153 and 154).⁷¹

R. Tevele's mother was Roesche, daughter of Abele London. R. Meir Schiff, in the preface to his work נר נאמן, referring to this grandfather, says that his brother had come back to the place of origin of their mother. R. Tevele was a devoted son, and even in his old age he mentions his parents with reverence and gratitude. In a letter to his brother written in the year 1776, when his father was apparently already old and feeble and unable to read, he expresses his doubt whether his brother should communicate the contents of the letter to the father, lest he should be disappointed, in case the election of his brother Meir to the Rabbinate of Copenhagen, referred to in the letter, would not be realized. Writing about the anniversary of his mother's death (called *Jahrzeit*) in 1787, he says: 'He could not answer his brother's letter of Sivan 1st earlier than the 26th (date of the letter) as their mother's *Jahrzeit* intervened, which he spent studying all night and fasting

⁷¹ 'Hiertz zum Gruenen Schild als der Zeit Baumeister' (p. 154); see also Appendix VII.

all day for the benefit of her soul, as it was to her that he has to be thankful for the tender care, and "the wine and oil she bathed him in during his childhood"⁷² which enabled him to fast in his old age.' In another letter of the 21st Adar, 1782, he writes that he post-dates the letter to the 22nd, because that day was the *Jahrzeit* of his father, and he could not write then on account of the fast he observed on that day. His father was, in keeping with the tradition of the family, a learned man who trained his children in the traditional way, his chief object being to make his sons בני חורה, religious Jews learned in the Law. We know little of R. Tevele's early days, except that, as a young man, he was a pupil of Jacob Poper, Rabbi in Frankfort, the celebrated author of the *Responsa* שב יעקב,⁷³ and of his successor, R. Jacob Joshua Falk,⁷⁴ of Lemberg, author of the work פני יהושע—one of the classical works in Talmudic exposition—who was also famous as a great adversary of R. Jonathan Eybeschütz.

R. Tevele married Breinle, daughter of Isaac Sinzheim of Frankfort a. M., and thus became connected with another famous and respected Jewish family. His father-in-law was a brother of Abraham Sinzheim, the famous Shtadlan of Vienna, and of Judah Ephraim Leb Sinzheim, founder of the Beth-Hamidrash in Worms; while another brother, Solomon Sinzheim, played likewise an important rôle in the life of the Jewish community of Vienna.⁷⁵ Solomon

⁷² Referring to the saying of R. Ḥanina, 'the warm water (baths) and the oil with which my mother treated me in my youth they gave me strength in my old age', see *Hullin* 24 b, where it is stated that R. Ḥanina when eighty years old could stand on one leg while he slipped off his shoe and put it on again. A. Röschen Schiff died 29 Kislev 5503. Cp. *FG*, 2479.

⁷³ Frankfurt a. M. 1702.

⁷⁴ Died 1756. See about Popers and Falk, Hor., *FR.*, vols. II and III.

⁷⁵ About Solomon S. see Baumgarten-Kaufmann, מוגלת סדרים, Intro.

Sinzheim's daughters were (1) Mate, wife of R. Tevele's brother, R. Meir Schiff, and (2) Mindel, wife of his son Moses, who in this way was a brother-in-law of his uncle R. Meir. The letters printed in the appendix furnish convincing proofs as to the correctness of these data, and dispose of the statement made by Dr. H. Adler in his essay, 'The Chief Rabbis of England' (*Jew. Hist. Exhib. Papers*, p. 285), and accepted by Mr. Israel Solomon (*Transactions J. Hist. Soc. Engl.*, VII, p. 241), that R. Tevele married Ber Adler's sister (true is only that R. Ber Adler's wife was R. Tevele's sister). The *Hazkarah-Book of Worms*⁷⁶ contains in praising terms a lengthy record of the death of Breinle, wife of R. Tevele Schiff.

Soon after his marriage R. Tevele became head of the Beth-ha-Midrash in Worms, of which his wife's uncle, Leb Sinzheim, was the founder. Horowitz (*FR.*, vol. III, p. 18) was not aware of the fact that R. Tevele lived for some time also in Vienna. This is evident from MS. Adler, No. 1160. This MS. contains on 147 quarto leaves notes of Halaka and Haggadic lectures by R. Tevele Schiff,

duction, p. 5. The genealogy of the family is given by Loewenstein, *Kurpfalz*, p. 215, and *ibid.*, Anhang, 13a. Loewenstein does not mention Solomon Sinzheim except the grandfather of the same name, while Baumgarten did not know of Sol. S.'s two daughters. Mate Schiff died 21st Kislev 1817. See *FG.*, No. 4899. Cp. also L. A. Frankel, *Inschriften*, Nos. 429 and 689.

⁷⁶ See קובץ על יד, vol. III, 1887, p. 49: האשה חשונה הרבנית: מרת בריינלה בת כ"ה אייזק זינצהיים ז"ל בעבור שהיתה אשה כשרה צנועה[ה] והגונה, וברצון בעלה כפה פרישה לעני' בכל עת ועונה, ותפלתה הי' בכונה, פרקה נאה ויראת ה' מנעורי' והני נשי דאיתנהו בשמירה איתנהו בזכירה, זכרה לה אלקי' ותאיר נרה ולהיות נפשה בצרור החיים צרורה ונתן בעלה לצדקה בעבורה, עשרה זהו" [נפטר בק"ק לונדן מש"ק וגקברת למחרתו יו" א" ער"ה שבט תקל"ב ל" וגקראת בפי כל אדם בריינלה אשת הרב מהו"ר ר' טעבלי שיף הנא"ב בדק"ק לונדן].

pupils, the most famous one, was the great cabbalist Rabbi Nathan Adler (a near relative of the late Chief Rabbi of London, Dr. Nathan Marcus Adler), who for a short time, in 1782, was Rabbi of Boskowitz in Moravia, and is known as the author of a commentary on the Mishnah, entitled *מישנת ר' נתן* (ed. Dr. B. H. Auerbach, Frankfurt, Kaufmann). Horowitz has proved that many of the notes in this work are identical with the explanations on the Mishnah which R. Tevele Schiff gave in his work *לשון זהב*, and he suggests that the real author of these explanations was R. Tevele.⁷⁹

In February, 1765, Rabbi David Tevele Schiff was elected Rabbi of Duke's Place Synagogue, in the same year as Haham Mose Hacohen D'Azevedo became Rabbi of the Sephardi congregation and R. Meshullam Zalman Emden of the Hambro Synagogue, each one using the title *Ab-beth-Din*. We have heard that R. Meshullam Zalman had been desirous to obtain the post of Rabbi for both congregations, and probably to emphasize his independence he styled himself 'Chief Rabbi of London and the Provinces' in the approbation of Buzaglo's *נכסא מלך*,⁸⁰ in the same way as R. Tevele always signs, even in the letters which he sent to his brother (see Appendix), 'Rabbi of London and the Provinces'. R. Tevele soon won friends in London, and he enjoyed general respect from his own congregants as well as from people outside his congregation. He seemed to have lived in peace with his colleagues, no quarrels or disputes are recorded, not even between Emden and him. His reputation was so great, that when Buzaglo attacked

⁷⁹ See Horowitz, *FR.*, IV, p. 39 ff.

⁸⁰ My conjecture in 'Jacob Kimchi and Shalom Buzaglo' (*J. Hist. S. Tr.*, VII, p. 272, also London, Luzac & Co., 1914) has to be modified accordingly.

Emden in a most aggressive and offensive manner,⁸¹ the latter applies to R. Tevele for a testimonial, while Buzaglo gave him the title הכהן הגדול = 'the High Priest'.

R. Tevele's name soon became well known in the Jewish world. The London Jews had business connexions on the Continent and overseas, and frequently questions and inquiries reached him from relations of London Jews in those parts, especially religious questions relating to marriages and divorce cases. He in turn had occasion to address letters of a similar kind to Rabbis residing on the Continent. Thus we have a letter he wrote to R. Joseph Steinhart of Fürth, inquiring whether the letter of divorce produced by the woman Frumet, daughter of Leb, wife of Lebele Roedelsheim, dated five years previously, was a valid document, and he asks him for confirmation of the same. This letter (App. V, Letter XIII) also contains a request to the same Rabbi to intervene in the case of a certain Gedaliah b. Leb of Maineck, near Burgkundstadt in Bavaria, now living in London. His wife refuses to follow him to this country, and R. Tevele asks the Rabbi of Fürth to persuade her to accept a letter of divorce which the man intends sending to her through a messenger (שליח). Interesting is the story of another woman, the wife of Nathan Harris of London, recorded in a document of testimony (נביית עדות, App. V, XXI), taken up by the Beth Din of London under the presidency of R. Tevele in the year 1783. The husband had left England on board a warship for Jamaica, and died some time afterwards on board another ship, anchored at Port Antonio, on his return journey to England, and was buried in the latter place. As witness figures a certain Solomon

⁸¹ Cp. my edition of Buzaglo's "מעשה ה", &c., in *Hazofeh*, vol. IV, 1914.

b. Isaac the Levite, who lived in Detroit opposite the house of Admiral Route (or Rowthe?),⁸² whose steward brought him the news of Harris's death. There being also other evidence in the form of a letter written by Abraham Simson of Jamaica to his mother living in London, in which the circumstances of Harris's death were related in agreement with the witness's statement, the Beth Din accepted the evidence, and permitted the woman to re-marry. Another letter relating to a divorce case sent to Rabbi Saul of Amsterdam is likewise printed in the Appendix (No. V, Letter XIV), though not only questions of practical religious nature formed the subjects of our Rabbi's correspondence. Among the nineteen letters preserved in MS. Adler, No. 4095, are several dealing with theoretical expositions of Talmudic dicta. Most noteworthy of these are two letters by Rabbi Isaiah Pick, generally known as R. Isaiah Berlin, one of the first critics of the Talmud in the eighteenth century. He wrote fourteen important works, among which the most noteworthy are: Notes on the *Aruch* הפלאה שבערבין⁸³; *Novellae to the Talmud* חידושי הש"ס, now to be found in nearly every later edition of the Babylonian Talmud, and his commentary on the *Sheeltot* entitled *שאלת שלום*.⁸⁴ Prof. A. Berliner, in his biographical sketch (*Rabbi Jesajah Berlin*, Berlin, 1879), compares him to the Gaon Elijah of Wilna, and says that while the latter excelled by his erudition and genial spirit, R. Isaiah was a storehouse in which all the treasures of Jewish tradition were to be found to an astonishing degree. His knowledge of nearly every word of the Talmud was amazing, and

⁸² He writes : רויטע, cp. App. V. No. 21.

⁸³ Vol. I, Breslau, 1830; vol. II, Wien, 1853.

⁸⁴ Dyhrenfurt, 1786.

Berliner regrets that most of R. Isaiah's responsa are lost. We are now in the happy position to give in the Appendix (V, Nos. 17 and 18) two responsa which R. Isaiah wrote to R. Tevele Schiff in the years 1785 and 1787, containing important notes to various passages of the Talmud. He addresses R. Tevele as ש"ב 'relative', on account of R. Isaiah's father, R. Loeb Mohiah Eisenstadt, having been a descendant of the famous R. Meir Schiff of Fulda, known as the 'Maharam Schiff'.⁸⁵ In one of the letters R. Isaiah refers to his recently edited commentary on the Sheeltoth, and says that he had sent two copies of this work through the good offices of R. Bendit b. Leb Halfan of Amsterdam, one for R. Tevele and the other for R. Leb Pressburg, Aaron Goldschmidt's son-in-law. Responsa to R. Isaiah are to be found in the work *Leshon Zahab* of R. Tevele Schiff, vol. II, pp. 10a and 30a. Other famous Rabbis with whom our Rabbi had correspondence were R. Ezekiel Landau of Prague and his friend R. Nathan Mass Rosh beth-Din in Frankfort, to whom he sends a detailed description of the consecration of the Great Synagogue in 1766,⁸⁶ and with whom he corresponded in the

⁸⁵ See Horowitz, *FR.*, vol. II, pp. 35-40; Berliner, *ibid.*, p. 7; cp. also Weiss, *אבני בית היוצר*, p. 32, and Loewenstein, *Kurpfalz*, p. 241. R. Isaiah was born in Eisenstadt, Hungary, in the year 1719, and died as Rabbi of Breslau on the 13th of May 1799. Cp. *Jew. Enc.*, III, p. 79, where the year of his birth is given as 1725; see also Brann in *Graetz-Jubelschrift*, p. 263, and I. Zunz *הצדק*, p. 163.

⁸⁶ The Order of Service to this Consecration is not in the British Museum, but Mr. E. N. Adler is the fortunate owner of the one copy of which I know. The title pages read:

Page 1 a

שיר חנוכת הבית דבית הכנסת הגדולה שנבנה מחדש פה קהלתנו
קהל קדוש אשכנזים השם ישמרם ונתחנך ונתקדש ביום השישי כ"ד אלול
שנת יתרועעו אף ישירן לפ"ק.

most friendly manner for many years.^{86a} Letters from and to R. Saul, Chief Rabbi of Amsterdam, brother of R. Zevi Hirschel Lewin, and others from R. Nunis Vais of Livorno have also been saved, the latter being published in R. Tevele's work *Leshon Zahab* (p. 29 b). The Rabbi of Livorno had asked for his advice in the case of a marriage and subsequent divorce of a Cohanite and a black woman from India.

Most of R. Tevele's letters which I found in MS. Adler 4095 are, however, of a private character and addressed to his brother R. Meir. They are of special interest owing to the vivid and homely style, the unrestrained manner in which the brother answers the requests or questions of the other, rebukes are intermixed with expressions of sincere attachment, and we see the true brotherly love which united the Rabbi of London with the Dayyan of Frankfort, who was also bound to him by other ties, to which circumstance we have already referred. When reading these letters we can well imagine the complacent life our Rabbi led in London, but we are also enabled to see some phases of Jewish life in general, how the Jew lived, his small and great troubles as member of his Kehillah or as

נרפוס (!) פה ק"ק לונדון לכבוד הבורא ולכבוד המלכות בהסכמת
אדוננו מורנו ורבינו הנאון הגדול נ"י פ"ה ע"ה כבוד מו"ה ד"ד טעבלי
נר"ו אב"ד דק"ק הנ"ל והמדינה ובפקודת האלופים קצינים פרנסים גבאי
צדקה דקה"לתינו יצ"ו והובא על מנחת הדפוס (!) ע"י כמר נחום ריישר.

Page 1 b

This Prayer used at the Opening of the Great Synagogue in Duke's Place 29th August 1766 composed in Hebrew by Rabbi Nahum Joseph Polak and made English by J. N. Inscribed to the Most worthy Presidents Naphtali Franks Esq., Mr Naphtali Hart Myers Gent. and Mr. Joel Levi Gent. Stewart. Performed by Mr. Isaac Elias Polak Principal Reader and his Assistants. (Eight pages in 8vo.)

^{86a} See Horowitz, *FR.*, IV, p. 19, and *לשון זהב*, vol. I, pp. 6 and 26; see also Appendix V.

merchant, and as Shtadlan who has to use his influence for כלל ישראל, the general Jewish community. Private letters of this kind are very rarely accessible to the public, although, as a rule, they are just the most important and most true sources of history.

R. Tevele shows himself in especially favourable light in a letter referring to the sentence of death of a young Jew who had gone wrong by getting into bad company. The boy's associates were waylayers, who, having been caught redhanded, were condemned to death in accordance with the law of those days. R. Tevele having persuaded himself that the Jewish youth had not committed any capital sin for which he would have deserved the death penalty, moved heaven and earth to obtain pardon for him, and, although the letter in which this affair is described does not report the final result of the Rabbi's endeavours, it permits the conclusion that the Jew was pardoned on condition that he should leave the country and return to relatives in Germany who would take proper care of him—for such was the undertaking the petitioners gave. The letter is addressed to his relative Isaac Michael Speyer, banker in Langenschwalbach near Frankfort (see address to Letter XI). Speyer's permanent residence was in Frankfort, where he occupied a respected position in the Jewish community. When on the occasion of the Emperor Leopold's coronation a deputation of representative Jews waited on him, Speyer was the leader who spoke the address of homage on Oct. 1, 1790,⁸⁷ and two years later,

⁸⁷ See Horowitz, *FR.*, IV, p. 68. Isaac Speyer's death is recorded in *Memorbook Offenbach*, MS. Adler, No. 950 (formerly in possession of the late Mr. S. Schloss of London, who acquired it from Dr. Carmoly's library), p. 92 a. Speyer died in Offenbach, where he spent the last years of his life,

when Franz II was crowned as Emperor of Germany, Speyer was again chosen as speaker of the Jewish deputa-
on Friday, 3 Kislev 5568 (1807); his wife Fradle, daughter of Gedalyah
Rose, died on Sabbath 13 Ab. 1811. The following is the text of the
memorials of Isaac Speyer and of his wife (the latter on p. 93 of the
manuscript):

יזכור אלהים

את נשמת הקצין המפורסם התורני כ"ה יצחק איצק בן הקצין
המפורסם התורני כ"ה מיכל שפייאר זצ"ל מו"ק פראנקפורט דמיין
יצ"ו. עבור שהלך כל ימיו בדרך ישרה, נו"נ באמונה ועשה תפלתו
בכוונה לאל השוכן מעונה. שמועו הולך בכל מדינה. שהי' מפרנס עניי'
בכל עת ועונה. ואשר הגדיל לעשות בהיותו פ"מ וג"ן בק"ק פפ"ד
מי יכול לרננה. ראש לכל הקרואים היה לכל דבר מצוה ולצדקה
ולג"ח. זאת ועוד אחרת שהוסיף נופח מישלו לחזק ולקיים הרברים
הטובים שהניח אביו זצ"ל להפיק רצון העניים בעין ובקמח היו ידיו
אמונה. טובו וחסדו הופיע ג"כ על יושבי קהלתנו פה ק"ק אופיבך יצ"ו
שהיה מקום דירתו סוף ימי חייו. אשר הוקם^א והתקין בתוך ביתו מקום
נאה לב"ה^ב ולבה"מ ללומדי תורה. חבר הי' ליראי ה" להחזיק
יושבי ב"ה^מ דקליון דפה: דבר טוב גדול וחזק מאד עשה ג"כ לבני
חבורתינו קדישא דת"ת ללמד וללמד לקטנים. ולהלביש שלושה ילדי'
מתלמידי ת"ת בכל שנה ושנה. בזכות זה ובזכות שנתנו יורשיו מתנה
לצדקה לכבוד נשמתו הטהורה. מלבד שארי תקונים וצדקות שעשה^ב בעבורו
ת'נ'צ'ב'ה ע"נ אי"ו שררו וע"י שאר צו"צ יבנן עדן העליון אמן:

ויצא יצחק לש"ח בשדה לפנות ערב שבת קודש ג' כסליו
תקס"ח לפ"ק פה ק"ק אופיבך יצ"ו:

ונקרא בפי כל אדם כ"ה איצק שפייאר מו"ק דמיין.

דף 93 ע"א.

יזכור אלהים

את נשמת האשה השוכה הנבירה המפורסמת מרת פראדלה בת
הקצין המנוח כה"ר גדליה רופא זצ"ל אלמנת הקצין הנביר המפורסם
כה"ר איצק שפייאר זצ"ל. עבור שהיתה אשה יראת ה" היא תתהלל
כל ימיה היתה תמימה בדרכיה וצדקת במעשיה כבודה בת מלך פנימה

צ"ל: הקים^א

צ"ל: שעשו^ב

tion. He had great influence in official circles, and exercised it with great success on various occasions in the interest of his fellow Jews in and outside Germany. The principal Shtadlan in London was R. Leb Pressburg, son-in-law of

עקרת הבית והי' תמיד עיניה פקוחות על כל עסקי וצרכי ביתה שנעשה הכל בבשרות וביראת ה" ולא נתנה עיני' בשום תענוגי העו"ה רק תמיד צופיה הליכות ביתה להשיגה ביתר עזו על כל ענייני ביתה כפה פרשה לעני וידיה שלחה לאביוני' ובפרט ללומדי תורה. עבדה את ה" בירא' בעבודה שבלב זו תפלה ואף שהיתה אשה גדולה ועשירה. בכל זאת היה לה לב נשבר ונדכה להתפלל בתחנונים להשיבון את דכא. גם נתייסרה כמוה שנים בחלאי' רעים וביסורי' קשים ומרים וקבלה אותן מאהבה ולמזבח כפרה ומסרה נפשה לקונה. גם הלכה בדרך טובים של אביה ושל בעלה הצדיקים המנוחים זצ"ל וצוותה לחלק מממונה סך מסוים בין עניי' דפה ובין עניי' דק"ק פ"ד ועוד יתר דברים טובים ומצודקים לתועלת נשמתה. בשכר זה ובשכר שנתנו יורשיה עבורה סך מסוים לג"ן תעלה נשמתה מעלה מעלה וצדק לפניו יהלך וכבוד ה" יאספה ותנצבה ע"נ א"י שררו ו"ענ שארי צו"ן שב"ג"ע אמן.

נפטרת בשם טוב ביום שבת קודש פ" ואתחנן בין מנחה למעריב ונקברת למחרת ביו" א" הוא י"ג מנחם פה ק"ק אופיבך תקעא לפ"ק. נקראת בפי כל פראדלה אשת כ"הר"ר איצק שפייאר זצ"ל.

They had three sons and one daughter who was the wife of Isaac Speyer's brother Lazar Michael Speyer. (See letters of R. Tevele and his son Moses, who send greetings לאחיו וחתנו 'to your brother and son in law'.) Dietz relates that Speyer left a fortune of fl. 480,000 (about £40,000), while at that time the fortune of Meir Rothschild was only fl. 60,000 (*Stammbuch*, p. 290). Michael Speyer offered hospitality to Rabbi Hayim Joseph David Azulai, the famous cabbalist and bibliographer, when he was, in 1755, on his mission in Frankfurt (cp. Azulai's itinerary מענל טוב: in one of the latest volumes of the Mekize Nirdamim Society, of which, so far, I have only seen the proof-sheets. The reference is under date Ab 27).

Eliezer, son of Michael Speyer, and Isaac Michael Speyer's, his brother's son-in-law, died as a young man on the 7th of Ijjar 5549 (1789); his death was attributed by Leb Wetzlar in his book מעשה תענועים (Frankfurt a. M., 1789), a work directed against Rabbi Nathan Adler, the cabbalist, and his adherents, to the threats of Moses Hoellesschau, one of Adler's followers, who had harassed Speyer with the description of terrible dreams which he purported to have had about him (cp. *Hebr. Bibliographie*, vol. IV, 1862, p. 78). The Memorbook of the Offenbach Community (MS. Adler, No. 950, p. 48 a,

Aaron Goldschmidt,⁸⁸ a learned man, one of the leaders of the Jewish community. Leb Pressburg was known as Lyon de Simons, and was a son of R. Samuel Pressburg, banker in Vienna.^{88a} It was this R. Leb who, in the interest of the accused Jewish boy, travelled after the judge, then on a circuit in the country, and obtained from him permission to appeal to the king for mercy. It was in all probability he who came into touch with foreign ambassadors and noblemen, and obtained their signatures to the petition. Graf Kognek (or Konnek) and a certain Baron ז"צ(?), as well as the Russian ambassador, were among those who took interest in the matter, and signed the petition. Isaac Speyer gave the Rabbi permission to spend forty guineas on his account, but this, R. Tevele writes, will not be quite sufficient, and he asks for permission to draw more on Speyer's account. The Rabbi reveals in this letter (dated 15 Ab., 1785) a truly noble mind. He is in great anxiety lest he should not act

No. 480) mentions Rabbi Kalonymus Kalman, son of Rabbi Kalman Posen, 'who brought up the late Eliezer Speyer'. The entry reads as follows:

יזכור אלקים את נשמת הר"ר קלונימוס קלמן בן מהור"ר קלמן פוזנא
 זצ"ל אשר גדל החסיד מהור"ר אלעזר בן כ"ה מיכל שפייער זצ"ל
 מפפ"ר ולמד עמו עד יום מותו נפטר ונקבר בשיבת טובה יום
 ד' ק"ג כסליו תקס"א (cp. also Horowitz, *FG.*, No. 3993). We can thus understand why R. Nathan Maas, Rosh.-Beth-Din of Frankfurt, was a bitter opponent of R. Nathan Adler the Cabbalist (A. Geiger in *Hebr. Bibl.*, V, p. 77). Maas was a son-in-law of Michael Speyer, and thus brother-in-law of Eliezer Speyer, whose untimely death was attributed to a follower of Adler as mentioned above. His wife Jutle, daughter of Michael Speyer, died on the 6th of Tebet, 1754 (Horowitz, *FG.*, No. 2813, and *FR.*, vol. IV, p. 21). Sir Edgar Speyer is a descendant of this family.

⁸⁸ R. Tevele mentions his engagement to Goldschmidt's daughter in a letter to his brother R. Meir in 1781 (Letter V).

^{88a} Samuel Pressburg or, as he was called, Samuel Simon was an uncle of Simon de Geldern, great-uncle of Heinrich Heine. Cp. D. Kaufmann: *Ahnensaal*, pp. 36 ff. and H. Adler in *J. H. S. E. Trans.*, vol. V, p. 168.

promptly enough, and by hesitation become the cause of a man's death; sends word to the condemned man urging him to spend his time in fervent prayers to God that He may spare his life. His anxiety is so great that he has no rest in daytime and no sleep at night, and he writes to his brother, R. Meir, in a postscript which is added to the letter, 'would it have been a question of a Shidduch (marriage) where I could have earned a great sum in negotiating it, I would not have done it, even if it would only have meant writing so many and long letters as I had to do in this matter.'⁸⁹

Another letter written in the public interest is the one addressed to R. Herz of Edelsheim, whom R. Tevele gives the honouring title of שתרלן הרור, and refers to the legacy of the Baal-Shem Samuel Falk, which formed the basis of a law-suit, dealt with at length in *JHSE. Transactions* vol. VIII, Misc., by Mr. H. S. Q. Henriques. Cosman Lehman, an admirer of Falk, claims that the whole of the estate belongs to him, and as most of the money was invested in French government bonds Lehman sued for an injunction in Paris that the money should not be paid out to the legatees.⁹⁰ R. Tevele and the trustees of the legacy, one of whom was Aaron Goldsmith, wrote, on the advice of a certain R. Simon Boas of the Hague to Herz of Edelsheim requesting him to use his influence and obtain permission for the money to be paid over according to the

⁸⁹ Negotiations for marriages or, as it is termed, 'Shadkanut' was not an uncommon secondary occupation of the Rabbis in those days. R. Jacob Emden is proud of the fact that while Rabbi of Emden he never tried to make money in this way. See מנלה ספר, p. 112.

⁹⁰ Cosman Lehmann was son of Herz Lehmann of Vienna and nephew of the famous Hoffactor Behrend Lehmann of Hanover. Cp. Grunwald: *Sam. Oppenheimer*, p. 293, *Mitt. z. jüd. Volksk.* 1903, p. 157.

will. He was sure Herz would not refuse to do all he could, especially as many scholars and poor people were waiting for the money. If more convenient, R. Isaac Speyer could act as intermediary between them.

The Jews of London had not altered much since the days of his predecessor R. Hirschel, and the Rabbi's duties likewise had remained the same, consisting chiefly in giving decisions in Rabbinic law. The study of Torah had not been advanced, for R. Tevele complains in nearly the same words as R. Hirschel of having no pupils to teach and no friends with whom he could study Torah: 'I have no pupil and not even any one to whom I could speak on Talmudic subjects;' ^{90a} and in another letter he says, 'the Shulḥan Aruch Oraḥ Ḥayyim is forgotten here, and nearly also the Yoreh Deah.' ⁹¹

Communal organization progressed in so far as a proper Beth-Din seems to have been established, one of the Dayyanim being Eleazar Lieberman, who lived in London already in R. Hirschel's time. His full name was Eliezer Lieberman Speyer of Halberstadt, for thus he signs in the document II of Tishri 28, 1772. It is the same R. Eliezer who wrote to R. Hirschel after his departure from London. ⁹² Other Dayyanim were Simon b. Meshullam of Prague, Abraham Hamburger of Nancy, called Abraham Nancy, and Jacob b. Rabbi Eliezer. It is, however, quite possible that they were not paid Dayyanim, but private scholars only, whom the Rabbi invited to join him when he wanted to form a Beth-Din for the purpose of arranging a Get or Ḥalizah ceremony.

^{90a} Cp. what R. Hirschel says above, part I, p. 22, and Letter IV of App. V.

⁹¹ Letter V of App. V.

⁹² Zevi, *Laz.*, p. 71; cp. above, p. 31.

The Rabbi's salary was £200 yearly, which very nearly was reduced during the American War. In a letter written to his brother on 1st Ijjar, 1780 (Letter III) he complains that since the Rabbi of the Hambro Synagogue, Meshullam Zalman Emden, had left, he had to do all the work without getting any remuneration for it. Although, in all probability, the Duke's Place people will claim some contribution from the Hambro Synagogue for his services, and as they had no intention of electing another Rabbi, may succeed in getting £50 yearly from them, that would not benefit *him*. Neither had he had any income from weddings at that Synagogue, as the Parnassim gave their members the choice to let either one of their own Hazamin officiate on such occasions, or to ask R. Tevele to perform the ceremony. It was on account of this permission that he had only one wedding at the Hambro Synagogue during a whole year, and that was when the daughter of an intimate friend of his, R. Leb Tosca, married. His brother, R. Meir, had asked him for pecuniary assistance, and R. Tevele answers that his income was scarcely sufficient for his own needs, especially in wartime, and had he not in better times invested a little money in Government bonds which brought him a little extra income, he could not make both ends meet. In spite of that, he says, there are at every Synagogue meeting proposals to reduce his salary! And 'then you imagine London is a Kehillah', he writes, 'far from it! I cannot explain it all in a letter, it could only be understood if told personally.' Similar remarks are found in Letter IV, written two years later on 22 Adar, 1782, at the time of the peace negotiations with America. The proposals for a reduction of the Rabbi's and other official's salaries continued to be put forward, but 'do not think', he says,

‘that this is done on account of my not being in the favour of my congregants, far from it, I have very many intimate friends here. It is simply the way of the land, which nobody can fully understand who has not lived here, just as little as they can realize in other countries the full meaning of the war with America, and even what the papers now print with regards to peace prospects.’ The powers of Parliament, the rights of the king and other political affairs are different in England from every other land, and in the same way is the Kehillah different from others, as well as the proportion of his income and expenditure, which no one else can judge but he himself, and he regrets having to refuse his brother’s request.

Two documents in MS. 4095 throw a light on the private life of London Jewry at the end of the eighteenth century. Mr. Zangwill, in his *Children of the Ghetto*, when he describes the story of a girl who in jest had a ring put on her finger and found herself married without her wish or even knowledge, seems to have taken the story from real life.⁹³ According to Jewish law,⁹⁴ if a man gives to a woman anything that is worth a ‘perutah’ (small coin) in presence of two Jewish witnesses, and says, ‘I herewith wed thee as my wife according to the Law of Moses and Israel’, that is sufficient to make it a valid marriage. This was used sometimes by wicked people as a means of extorting money from a rich man by marrying his daughter in this way, and then to make payment of a large sum the condition of giving her a ‘Get’ (divorce). In Zangwill’s novel the story is different, as the whole thing was meant

⁹³ See Zangwill, *Children of the Ghetto* (London, Heineman, 1893), p. 51, and the same author’s *King of Schnorrers*, p. 1.

⁹⁴ Talm. B. Kid. 5 b. Shulh. Ar. Eb. Haezer, c. 27. 1.

as a joke only on the part of the young man, and it is interesting to find that in the time of Tevele Schiff^{94a} such things really happened, for two such cases are recorded in the documents which we print as Nos. 19 and 20 of Appendix V. In one instance Judah b. Joseph testifies that he performed the marriage ceremony on the girl Serche, daughter of Moses, with her consent, although she now denies that the ceremony ever took place. The other case was that of Simon b. Hayyim Levi and the girl's name was Mindel d. of Samuel. The fact that the bridegroom himself came forward as the chief witness in both cases, and that the girl denied having given her consent, seems to indicate that we have to deal with intentions of blackmail, against which could be argued that the parties appear to have belonged to the same class, and that, in case I, the young people had been on intimate terms with one another, but it would be unwise to draw any conclusion as to the state of morality among the London Jews from these incidents, which may have been to the Rabbi some of the most exciting ones in his quiet and smooth career.

Official functions, when he would have been expected to give an English address, very seldom occurred, and Rabbi Schiff knew probably very little English, although his Yiddish was often intermixed with English phrases.⁹⁵ When the need arose he had the assistance of English teachers to help him out of difficulties. Although it is stated that at the consecration of the Great Synagogue

^{94a} 'When Tevele Schiff was Rabbi in Israel and Dr. Falk the Master of the Tetragrammaton, a saint and cabbalistic conjurer flourished in Wellclose Square' (Zangwill, *ibid.*).

⁹⁵ He says, e.g., אבליגירן = *obligiren* for 'to oblige'; פאוועראכל = favourable; פארטיקלאר = particular.

in Duke's Place, in August, 1767, two years after his appointment, the 'High Priest pronounced the prayer for their Majesties and the Royal Family in English instead of in Hebrew as was usual',^{95a} he never acquired sufficient knowledge of the English language, so as to be able to speak it fluently. At the consecration of the re-built Great Synagogue in 1790 David Levi, author of 'Lingua Sacra',⁹⁶ had to translate into English the Hebrew Dedication composed by R. Tevele. The daughter of Moses Hart,⁹⁷ founder of Duke's Place Synagogue, defrayed the expenses of rebuilding, by offering £4,000 for this purpose. Her name was Mrs. Judith Levy, widow of Elias Levy, son of Benjamin Levy, who had been her father's partner in business. The order of service for the consecration ceremony was composed by David Levi, who says on p. 7,⁹⁸ 'With munificent hands hath the right noble and virtuous

^{95a} See Picciotto, *Sketches of Anglo-Jewish History*, p. 141.

⁹⁶ The most extensive contemporary Hebrew-English dictionary published in three vols., London, 1777.

⁹⁷ Brother of Rabbi Uri Phoebush Hart, first Rabbi of Duke's Place (1690-1752).

⁹⁸ The full title of the booklet is: 'A song and praise to be performed at the Dedication of the Great Jews Synagogue, St. Jame's Duke's Place London, on Friday March 26th 1790 composed in Hebrew by the Rev. David Solomon Schiff, High Priest of the said Synagogue and translated into English by the order of the President and Treasurer thereof, by David Levi, Author of Lingua Sacra, etc. London: Printed by W. Justus No. 35 Shoemaker Row, Blackfriars, anno mundi 5558.' About Benjamin Levy and his children see the article of Mathias Levy in *Jewish Chronicle*, July 31, 1903. Judith Levy's biography is to be found in Granger's 'Museum'. She and her husband Elias Levy are buried at Alderney Road cemetery a few rows behind R. Tevele Schiff's grave. Elias Levy's tombstone seems to be a substitution for the original stone; it only bears the short inscription: (top) 'פ"נ פו"מ ב' אל"י', (middle) 'Elias Levy Esq.'. He died, according to the testimony of Falk's servant, on the 18th Shebat, 1750 (*MS. Adler* 2441, p. 26 B).

Judith Levy's tombstone inscription is still readable as far as the Hebrew text is concerned. It reads:

lady (David Levi in a footnote: "Mrs. Levi of Albermarle St., relict of the late Elias Levi, Esq.") bestowed a princely sum to exalt and beautify the house of God. In the gate will we rehearse her praise, in whose mind her father's noble deeds are imprinted (footnote by D. Levi: "The late Moses Hart, Esq., who, at his sole expense erected the first Synagogue on this site").' The verses and anthems by R. Tevele do not show special skill in Hebrew poetry; he writes a Rabbinical Hebrew, introduces acrostics on his own name (on pp. 4 and 6) דוד ברבי שלמה הכהן, but neither these nor the blessing מי שנברך for the donor, Judith, daughter of Moses = האשה הנבירה המפורסמת יטה בת ר' משה, come up to the standard of his predecessor's writings. His sphere was the Talmud, and in that branch he was a master recognized by all. He laid the foundation to the office of Chief Rabbi by the general respect he enjoyed and by his learning which made his authority indisputable. Thus we find that the community of Portsmouth stipulated in their minute-book that matters of dispute between the members 'should be brought before R. Tevele, Chief Rabbi of the Great Synagogue, London'.⁹⁹ Haham Moses Hachohen d'Azevedo refers to him in friendly and respectful

פ"נ

הנבירה מרת יטה בת המנוח
 פ"מ ב" משה ברעסלוי ז"ל
 אלמנת המנוח פו"מ ב' אלי' ז"ל
 שהלכה לעולמה ביום ד' כ"ה טבת
 ונקברת עש"ק כ"ז טבת
 תקנ"ז (?) ל"פ"ק

The English inscription is no more decipherable. The grave next to hers on the left is that of her son, but his name is not readable any more, except for the words 'son of Elias and Judith Levy'.

⁹⁹ See *J. Hist. Soc. Engl. Trans.*, vol. VI, pp. 114-51.

terms.¹⁰⁰ We are not surprised that he was generally liked when we read the letters he wrote to his brother R. Meir. There he shows us his lovable nature, his modesty, and unassuming simplicity, his upright and straight character. 'Please look well into this account', he says to his brother, 'and answer me as to each point separately, for, you know, I am a lover of orderliness'. The letter refers to a list of charitable donations which he sent to his brother for distribution (Letter VII of 22 Adar, 1782, Appendix No. V). On another occasion, in the matter of the Jewish boy's reprieve, he says, 'You know my nature, I like to be peaceful and keep my head clear' (Letter XI, 15 Ab, 1785). His modesty is revealed in an answer to his brother, who urges him to have some work of his printed. 'You ask me whether I do not think of printing something of my *Hidushim* (notes) on the Talmud. I do not approve of anything that is lengthy to be published, even if it refers to Maimonides or any other early commentator. . . . You say that some one who is unworthy might come and use the result of my studies, my words, as his own. I do not mind that at all—God will know. As for the purpose of leaving a name behind after 120 years (after my death) should I print a book—who will read long deliberations? To my mind the right thing to do before publishing a book would be, to give the MS. to two or three real scholars and let them examine it, but not in the author's presence, and only what they think good enough should be printed. I am sure in this way hardly any one would gain great fame, as probably only one page would be found worth printing out of a whole volume. As a matter of fact, he who studies for the sake of study (לשמים) and not for his

¹⁰⁰ See Buzaglo's pamphlet in *הצופה מארץ הגר*, IV, p. 12.

own imaginary honour, to be mentioned among the great men, he does not mind whether much or little is said in his name. . . . If a rich man in whom Torah and greatness (riches) are combined would direct in his will that his notes should be dealt with in this manner when he has come to the end of his days, that would indeed be the only proper way, the right thing in the eyes of God and man, for then even the suspicion of hunting for imaginary honours would fall away. Only he who is quite sure of himself to be free from such vanity may do it in his lifetime' (Letter XII, 26 Sivan, 1787).

If Prof. D. Kaufman emphasizes the importance of preserving and editing minute-books of congregations, Hazkarah, and Memor-books, &c. (אוצר הספרות, vol. II, pp. 91 and 92), the more so applies this to private letters which contain particulars concerning the Jews generally, as in many instances they give references which are not to be found in any other written document, and would therefore otherwise remain unknown. In some cases they furnish confirmation of doubtful reports, or supplement missing links to the chain of events. The reader will find this in the letters written by and addressed to R. Tevele, which we print in the Appendix. Though of later origin than the collection of private letters edited by Drs. Alfred Landau and Bernhard Wachstein under the title *Jüdische Privatbriefe aus dem Jahre 1619* (Wien: Braumüller, 1911), the same qualities may be attributed to the letters printed in Appendix V, as the editors apply to their publication. They say in the Preface: 'Rightly has general attention been given in our times to these human documents out of which we can construe not only a picture of external circumstances, but also a reflexion of the feelings

and sentiments of the people of past ages'. (Einleitung, p. xv.) As far as Anglo-Jewish historical records go, I believe this is the first publication of Yiddish and Hebrew private letters. There are nineteen letters in all, and from the point of view of Anglo-Jewish history those written by R. Tevele himself and his son Moses to R. Meir Schiff are the most important. We hear the story of the Hazan Isaac Polak who had gone bankrupt and was put into prison. The community resigned itself to its fate to have to do without its reader, but when Atonement day was approaching 'many speak well of him and wish to get him returned to office', writes R. Tevele's son, Moses Schiff, on 14 Elul, 1781 (postscript to Letter VI). 'They say that whatever wrong he has done was not of his own free will, but he did it being misled by that man Hayyim (?). As is usual in Jewish communities, they follow the way of their forefathers; what the one loves, the other hates, and some are quite indifferent, do not care one way or the other, are neither friend nor foe. R. Isaac is still imprisoned, and, being a bankrupt, cannot regain his liberty unless the majority of his creditors agree to his liberation—such is the law of the country—and it will be difficult to get them all under one hat (to agree to it). It is a dishonour to the community, such outcasts as exist here are not to be found in any other town. It seemed all in vain, the judge had passed sentence and the matter appeared settled, but God helps those in trouble, and the community advised R. Isaac to present a memorial to the judge stating that the congregation had reserved him his post, and that he was really punished on account of some one else's fault. So far no answer has been received.'

This R. Isaac Polak was reader of the Great Synagogue;

an engraving of him is in the possession of Mr. Israel Solomons in London.

In 1776 Parliament brought in a new law regarding passports, which made travelling more difficult. R. Tevele advises a certain Süsskind b. Jacob Schloss, of Frankfort, who had the intention of coming to London, to bring a proper passport and health certificate with him, or should even postpone his journey in case he had not left on arrival of the letter (Letter I).

We hear also something of the business connexions of London Jews. They dealt with Jews in Frankfort, Holland, and Italy. But R. Tevele knows nobody who had correspondents in Copenhagen which, he says, is like a suburb of Hamburg. Brisk business was done in East Indian wares. R. Meir made some suggestions to his brother that his son Moses (who, a year or two afterwards, became his brother-in-law by marrying R. Meir's wife's sister, Mindel Zinzheim) should try to do some business as commission agent. R. Tevele answers him on 1 Ijjar, 1780, that only East Indian goods are worth while dealing in, but to deal in woollen merchandise is not profitable because most of the German merchants order these goods from England direct from the manufacturer. To be an agent for export to Germany would necessitate having great credit here (securities) as the goods are sold on six-monthly bills. Besides, there would hardly be any profit attached to it. Moses Schiff later became agent for Isaac Speyer of Frankfort, whom we have already mentioned. On 20 Elul, 1782 (Letter V) Moses Schiff thanks Speyer for what he has done for him, and asks for further opportunities to act for him. R. Tevele's adviser in this matter was R. Jacob Rotterdam in London,

who acted as agent for R. Leb Haas¹⁰¹ and J. Schuster¹⁰² of Frankfort. This Jacob Rotterdam had also business connexions with Jacob Homel & Co.¹⁰³ (Letter IV).

It was R. Tevele's custom to send charitable gifts to relatives and poor people in his native town, to which he remained attached all his life. Through his brother he acted as intermediary between people in London and their relatives in Frankfort, and even accepted lottery stakes from his friend Moses Munk in Frankfort, and adds, 'Falk shall insure it', obviously referring to the Baal-Shem Samuel Falk (Letter III). Among the regular recipients of gifts from the Rabbi was his brother R. Meir himself, another brother Moses, his sister-in-law (mother-in-law of his brother Meir and of his son Moses), a certain Abraham Giessen, and the widows of Moses Trumm and Moses Platz. A certain Moses b. Leb Zunz, who lived in London, asks the Rabbi to let his stepmother know he was astonished to hear she was not satisfied with the allowance he and his brother, living in America, sent her. If, however, his other brother, who is studying at the Yeshiba in Pressburg, has any particular wish, he should write to his brothers and send the letter to R. Meir Schiff (Letter II). Reference is made to Abraham Emmerich's bankruptcy, which greatly astonished the Rabbi, who uses the phrase 'it is like fire in a cedar-tree', *אם בארזים נפלה שלהבת*.¹⁰⁴ Abraham Emmerich is mentioned in MS. Adler 935, p. 91 (Minute-

¹⁰¹ Died Adar 11, 1789. See Hor., *FG.*, 3989; Dietz, p. 156.

¹⁰² *Ibid.*, p. 273.

¹⁰³ Son of Joseph, son of Isaac Hammeln, who was a son of Glückel von Hameln. See Kaufm., *Glückel v. Ham.*, p. xxxix.

¹⁰⁴ In Letter VII, to Isaac Speyer, R. Tevele refers to the bankruptcy of a London firm of bankers named Brown & Collinson, which involved a great many people, Jews and non-Jews. (See App. V.)

book of the Frankfort Beth-Din). He buys a seat in the Synagogue from Solomon Sinzheim in 1780 (*ibid.*, p. 114 b). His brother Meir had some dispute with the *גוברים*, the treasurers of the Frankfort congregation, and collected signatures in support of his plea. R. Tevele mentions several members of the Frankfort community who, he thinks, will sign the memorandum. Their names are: the children of M. Scheyer;¹⁰⁵ J. Kulpa;¹⁰⁶ Lima b. Zalman Haas;¹⁰⁷ David Cassel, son-in-law of Z. Cassel;¹⁰⁸ Hirsch Haas¹⁰⁹ and his nephew M. b. S. the Levi; Madl(?) and R. Jacob Kann.¹¹⁰ In connexion with this dispute R. Meir Schiff had complained to his brother that things had come to such a pass in Frankfort that many members gave up (*חוקת הקהל*) their membership in the community to join small *kehillas* in the neighbourhood, and R. Tevele says: 'I am sorry for the place and the graves of my ancestors that such a state of affairs should have arisen.' It is not unlikely that this refers to the persecution of R. Nathan Adler who, a year or two previously (1779), had been excommunicated, and in the year when this letter was written (1782) left Frankfort to take up the Rabbinate in Boskowitz. R. Tevele remarks at the end of these references, 'However, all bad things (*גזירות*) must pass some time or other', and he considers it his duty to see to it

¹⁰⁵ Moses Scheyer, who died 1 Ijjar 1775; Hor., *FG.*, 3530.

¹⁰⁶ Juda(?), died 1785. Cp. Dietz, p. 176; Hor., *FG.*, 3887.

¹⁰⁷ Died 1789. Dietz, p. 136.

¹⁰⁸ Died 1812(?). Hor., *FG.*, 4682.

¹⁰⁹ Died 5 Shebat 1796. *FG.*, 4203

¹¹⁰ Jacob b. Beer Kann, died 15 Tam. 1784. *FG.*, 3835; Dietz, p. 164. His cousins were called Löw Beer, and had business relations with the brothers Abr. and Simeon Boas in Haag; see above letter of R. Tevele, No. VII. Cp. Dietz, *ibid.*

that his family's connexion with the community should be kept up for future generations, and for this reason he did not allow his membership of the community to lapse (Letter V).

On one occasion R. Meir Schiff asked his brother's help to obtain the post as Rabbi in Copenhagen (1776, Letter I). It is then that we hear who were R. Tevele's patrons at his election in London, as he approaches them to do similar service to his brother in this matter, and Aaron Goldschmidt writes to his nephew Jacob b. Mendele Kik¹¹¹ in Hamburg, who has reason to be thankful to his uncle, he having assisted him greatly in his business connexions, to recommend his cousin R. Meir Schiff to his friends and correspondents in Copenhagen. R. Tevele himself composes the letter for Goldschmidt, and sends a copy of it to his brother. He remarks among other things that the fact of his not having been Rabbi, but only Dayyan, should not be regarded as a fault. For R. Tevele himself was only Dayyan in Frankfort when elected as Rabbi to London, 'and thank God we are satisfied with our bargain'. R. Tevele also addresses a letter to R. Meir Hanover for the same purpose, in which he mentions that he helped him to obtain his present position, and was by this a means of his brother succeeding him as Dayyan in Frankfort. In London there was only one merchant who had direct correspondence with Copenhagen, writes R. Tevele, and that was a friend of the Rabbi of the Hamburger (Hambro) Synagogue, Meshullam Zalman Emden. To approach this man would be harmful to his cause, as the family of the Ḥaham Zevi would certainly try to obtain the post for one of their own family. He had, however, approached

¹¹¹ Probably Kük; cp. Grunwald, *Hamburg's deutsche Juden*, p. 270.

a certain R. Moses Wallich of London to write to his wife's stepmother, the widow of R. David Hanover, who was a native of Copenhagen, to write to her friends there. The letter bore no result, as R. Meir Schiff remained Dayyan in Frankfort till the end of his days. Before he obtained this post he was Dayyan in Vienna, where he signs the Statutes of the Hebrah-Kaddishah in 1763 (cp. *Mitt. s. jüd. Volkskunde*, 1910, Heft 33, p. 13).

R. Tevele himself tried at least twice, as far as we can ascertain, to change his position. In 1781 (Letter III) he aspired for the Rabbinate of Rotterdam, and reproaches his brother for not doing anything for him in this matter. The Rabbi of Amsterdam had apparently put some obstacles in his way, and 'who can stand up against this people?' he says, pointing again to the Emden family, the Rabbi of Amsterdam being then R. Saul, brother of R. Hirschel Lewin. The Rabbi of Halberstadt was elected but seems to have refused to go, the postal service being very irregular in those days on account of the war between Holland and England, he only received the news of this together with a letter informing him that the Rabbi of Emden had been elected. This haste must have been intentional, says R. Tevele.

Half a year later (Adar, 1782) he was anxious to become Rabbi of Würzburg, but the letter he wrote was lost on a boat which was sunk by enemy action, and he did not write again, but would have no objection if R. Meir could arrange it, although 'it rests with God what is good for me and my son, for our body and soul'. R. Levi Fanto (cp. גל ער, p. 62), Dayyan in Prague, had been elected to Würzburg, but did not go there. News did not travel fast in those days, and R. Tevele did not know of

the refusal until by accident he saw the signature of this R. Levi on a letter addressed to him by the Rabbinate of Prague. He writes thereupon to a friend of his, R. Moses Rofe (in Würzburg?), inquiring for the reason of R. Levi's not going, whether it was that the income from that Rabbinate had diminished of late or for some other reason, as he can point out to him some one who would be open to entertain an offer if made to him, clearly referring to himself (Letter IV). R. Levi Fanto died on 23 Feb., 1782, of that, however, R. Tevele was not aware of at the time (*ibid.*).

Of interest is also a reference in the same letter to a Jew who had lived in England somewhere in the country among non-Jews, and gave up all his property to the man he lived with, for an annuity. When the Rabbi Gershon Pulitz of Nikolsburg¹¹² was still alive he wrote to him asking for assistance for the man's sister-in-law (his late brother's R. Jekl's wife) and children, and R. Tevele was successful in obtaining aid from the man whose name was David Fridland. Some time later, when his nephew Isaac, son of the said brother Jekl, came to England, the transfer of his property had already taken place, and he could not assist this nephew. Only after his death this Isaac succeeded in getting some money from the man who had the property by a compromise, but now there was no more hope of getting anything out of him. This R. Tevele writes to R. Meir Schiff in answer to an inquiry and request for help for some one of Fridland's family.

We get a glimpse of the Rabbi's homely character in the orders he gives to his brother in Letter II. He did not consider it beneath his dignity to order half a dozen 'white cotton caps not striped but plain white' (ניט גישטרייבט)

¹¹² Chief Rabbi of Moravia from 1753-72.

(מיט אייניגה קולעהר רק פשוט וויים) neither should they be sable caps', he adds, which was probably meant as a jest. We even find an order for half a dozen handkerchiefs, but these should not be white 'on account of the snuff-tobacco'. His wife Breinle having been dead for years (she died in 1772, see above), he had to trouble himself with these domestic trifles. The same letter (No. III) contains a postscript by his wife's niece Mindel, daughter of Solomon Sinzheim, who writes a very good Hebrew hand. This lady acted to all appearances as a kind of housekeeper, as R. Tevele describes her in Letter VIII, which is dated a year later (1782), as (בריהנרן): servant. In Letter XI R. Tevele mentions her already as his daughter-in-law, which letter bears the date 15 Ab, 1785, so that the marriage of Moses Schiff must have taken place between the years 1782-5. Mindel was quite a good Hebrew scholar, as will be seen from her postscript to Letter IV. The marriage was childless, and I have not been able to ascertain when Moses and Mindel Schiff died. Moses was apparently well to do; the Great Synagogue possesses a silver basin used by the Cohanim before reciting the priestly blessing, which was presented by Moses b. R. Tevele.

Before his death R. Tevele asked his son to have some of his manuscripts published, and Moses sent the manuscript of the book לשון זהב to his uncle, R. Meir, to prepare it for publication. We print in the appendix the title-page of this work written by R. Tevele himself, which proves that he intended this name for his book. Another manuscript containing answers to questions raised by the Tosafot against the explanations of Rashi in Tractate B. Batra, mentioned by R. Tevele in Letter IV, seems to have been lost.

R. Meir Schiff, who was Dayyan in Frankfort from 1768,¹¹³ and author of the work *דרך אמת בלב ים* (Fürth, 1798), was already an old man when his brother Tevele died, and not able to copy and correct the manuscript, so as to make it ready for the printer,¹¹⁴ and he died on Aug. 2, 1808¹¹⁵ without having edited the work. Moses Schiff then sent the manuscript to his cousin R. Mordecai Adler, Chief Rabbi of Hanover, who was a nephew of R. Tevele (his mother, R. Beer Adler's wife, was R. Tevele's sister), but Moses himself died before the book appeared in print. After his death his widow and executors again approached Mordecai Adler to fulfil the wish of his late uncle R. Tevele, and on his advice the publication was entrusted to his sons Gabriel Adler, Chief Rabbi of Meiringen and the province of Schwarzwald, and Ber Adler of Frankfort, brothers of the late Dr. N. M. Adler, Chief Rabbi of London, and at last, in 1822, the work was printed in Offenbach under the title 'Leshon Zahab', which means the 'Golden tongue'. It consists of two folio volumes,¹¹⁶ and contains expositions on the Pentateuch and Talmud, Responsa, and various haggadic lectures. MS. Adler 2296 has apparently been utilized for this edition, although it contains other matter, not embodied in the book. The greater part of the manuscript is taken up by a commentary on Mishna Tractate Horayot, which is identical with Leshon Zahab, pp. 14 a to 19 b, but there are also several pages relating to Mishnah Zebahim and Menahot, and several Responsa.

Beloved by all who knew him, R. Tevele Schiff passed

¹¹³ See Hor., *FR.*, IV, p. 37.

¹¹⁴ See preface to *לשון זהב*.

¹¹⁵ Zunz, *Monatstage*, erroneously gives the date July 22, 1798; Hor., *FR.*, IV, p. 37, and Dietz, give the year 1807. See, however, *MGWJ.*, vol. 50, p. 607.

¹¹⁶ Vol. I contains 32 leaves; vol. II, 44 leaves.

away on the 23rd day of Kislev, 5552 (Dec. 17, 1791), and was buried in the ground at Mile End, which is also the resting-place of his son Moses. His funeral was a testimony of the general esteem in which he was held by Ashkenazim and Sephardim alike. The Bevis Marks Synagogue was represented by the Haham, three Dayyanim and five wardens, while all the Ashkenazi synagogues sent representatives.¹¹⁷ His death is recorded in the Hazkarah Book of Worms, where he is praised as having been 'versed in the secrets of the Torah, which he studied all his days'.¹¹⁸

¹¹⁷ See Picciotto, *Sketches*, p. 223.

¹¹⁸ Hazkarah-Book of Worms has the following record of his death :

י"א ח"ה חזקן מוהרר דוד טעבלי בהמנוח כה"ר זלמן שיף כ"ץ ז"ל
מפ"ד בעבור שכל ימיו היה מתמיד בלימודו והי' תורתו אומנותו והי'
בקי בחדרי תורה והי' בו כמה מידות ומעלות טובות, והי' אב"ד ור"מ
בק"ק לונדן יותר משלשים שנה וגם בקהלתנו הי' משכנו יורה בקליים
יותר מעשר שנים וגם הי' דיון בק"ק פפ"ד ויורשיו נתנו עשרה זהו
לצדקה בעבורו [נפטר ונקבר בש"ט בק"ק לונדון ביו . . .].
The date is missing, and it should be added : כ"ג כסליו תקנ"ב. See *Kobez-al-Jad*,
vol. III, p. 53.

TOMBSTONE INSCRIPTION OF RABBI TEVELE SCHIFF.

His grave is next to that of his son Moses in the burial-ground at Mile End.

פ"ג

המדה ננוזה מזה בן מזה אדוננו

(מורינו) הנאון הגדול

המפורסם מהרר דוד טעבלי הכהן זצו"קלהה

בן המנוח הרבני מו"ה זלמן שיף כ"ץ זצ"ל

מילידי ודיינא דק"ק פפ"ד מ ושם האמת

הוציא משפט ועשה בתורה ועל (ברכיו?)

נתגדלו תלמידיו (הרבה?) אל השערה הניע . . .

תחלה נבחר פה קהלתנו לרב ומורה ורבין תחת משא

הרבנות עשרים ושבע שנים בחנינה יתירה

צופה היה להוליך במישור לעמי הארץ מ . . .

בפעע . . . לקרובים ורחוקים היה (ליועין?)

(והנה תמיד?) בתורת ה' כאשר פעלו יגיד

א . . צדיק לשון זהב ותורת אמת הית' בשפתיו? (בפיהו?)

Mr. Sigmund Seeligmann of Amsterdam, the well-known scholar and collector, was good enough to send me a copy of a leaflet in his possession, containing two elegies on the death of R. Tevele, composed by Isaac^{118a} and Solomon, sons of Eleazar Keyzer of London, the one thirteen, the other ten years of age. The leaflet, measuring 26 × 24 cm., was printed by their uncle, Abraham Keyzer in Amsterdam, and bears the date, Tuesday, 24th of Kislev, 1791, while Abraham Keyzer's note, giving the ages of the boys, is dated 22 Shebat of the same year. The versatility in Hebrew of these young boys was indeed quite remarkable, and the verses well worth printing. 'David, King of Israel, has fallen', exclaims Isaac, who appears to have been the elder, 'his flock will not be guarded any more by his love and piety, their shepherd is dead who has loved them as a father loves his son. Woe to thee, O London! where is to be found a man, a scholar like the one thou hast lost? What was thy sin, that thy punishment is so great?' Such words from the pen of a boy of thirteen show at least that the Rabbi was held in high esteem, and was beloved by his community.

(וריש) ד"ת בבית"מ וידע
 ששה סדרי משנה בע"פ ואלה הם יעירו
 על מעשיו הנעימי (הנאים?) . . . שבק (לן
 חיים) . . . אדוני(נו) הרב (ביום ב' כ"ג כסליו
 ונקבר בב"ד בו שנת) תקנ"ב לפ"ק
 ת"נ צ'ב"ה'

^{118a} The leaflets are reprinted and translated in App. VIII. Isaac Keyzer had a son called Eleazar, who in later years married a daughter of the Parnass Jacob Norden. Rabbi Solomon Hirschel sends him as wedding present a copy of the book *בנין אריאל* by his uncle R. Saul of Amsterdam. The inscription on the cover of the book is printed in golden lettering, and reads: *דורן דרשה להחתן הקצין כ"ה ליור שי' בן המנוח פו"מ כ"ה איצק קיור ז"ל וחתן פו"מ כה"ר יעקב נורדין יצ"ו*. The book is in the Beth-Hamidrash library in London.

III

R. Solomon Hirschel.

BORN in London on the 19th of Shebat, 5522 (1761) as the youngest son of R. Zevi Hirschel Lewin and his wife Golde, he was not quite three years old when his father left London for Halberstadt, in the spring of 1764. He was only eleven years old when his father entered into office in Berlin in 1772, and there it was that the most important years of his early training were spent. The Berlin community was then on a not much higher standard of culture and modern education than most of the Polish congregations of our days. Mendelssohn and his circle met with opposition even in Berlin, and although R. Zevi Hirsch had recommended Mendelssohn's German Bible translation, he did not give his son Solomon a very extensive schooling in other matters than Rabbinics. It is quite certain that R. Solomon never possessed the title of Doctor from any University, although he was generally styled as such in the later period of his life, and often uses the title himself in his letters (see later). He became a recognized Rabbinical scholar and, like his father and his brother Saul, a master of Hebrew style. He married at the age of seventeen Rebecca Koenigsberg, and later became Rabbi of Prenzlau in Prussia. The Rabbinate of the Great Synagogue was vacant after the death of Rabbi Tevele Schiff for a number of years. There is no reliable record of the exact date of R. Solomon Hirschel's election. While Mr. Picciotto mentions 1803,¹¹⁹

¹¹⁹ *Sketches*, p. 307.

Solomon Bennett¹²⁰ gives 1802 as the year of his election. In 1805 was published a sermon held 'on the day appointed for a general Thanksgiving for the success of the Fleet off Trafalgar', arranged and rendered into English by Joshua Van Oven,¹²¹ and this was, as is stated there, 'soon after R. Solomon's accession to office'.¹²² All these dates seem, however, incorrect according to the tombstone inscription of R. Saul, brother of R. Solomon. He is described as 'son of Rabbi Zevi Hirsch נר"ו, Rabbi of Berlin, formerly Rabbi of our congregation, and brother of our Rabbi Solomon'. As R. Zevi Hirsch died in 1800. and was still alive when the tombstone was set, as indicated by the letters נר"ו (= may his light continue to shine), R. Solomon Hirschel must have come to London prior to 1800 (cp. *JQR.*, N. S., vol. IX, p. 408). One of his qualifications which made him particularly recommendable for the post was the fact of his having been born in London.

The Rabbinical duties at the Great Synagogue were in the interval discharged by the Rabbi of the New Synagogue, Moses Myers (died 1804); nevertheless, there seem to have been continual differences between the three Ashkenazi Synagogues, and not the least reason for these frictions was the practice of enticing members of one Synagogue to another. In 1804 an amalgamation of the three Synagogues, as far as finances were concerned, was contemplated by L. de Symons, but without success. The only result, achieved through the influence of the new

¹²⁰ See *The Present reign of the Synagogue of Duke's Place Displayed, &c.*, by Solomon Bennett. London, printed for and published by the author, No. 475 Strand, 1818, p. 66.

¹²¹ See *Voice of Jacob*, II, p. 68.

¹²² In 1805 R. Solomon gives an approbation to the first edition of Wolf Heidenheim's *Maḥzor*. See vol. IX (Shabuot), Rödelheim 1805.

Rabbi, was an arrangement as to the contributions of the Synagogues towards the relief and burials of the poor. These treaties were renewed every five years. until in 1838 a somewhat closer union of the three Ashkenazi congregations was brought about through the endeavours of Mr. N. M. Rothschild. The convention then signed did not constitute them into a United Synagogue, as each congregation retained its independence. The agreement chiefly referred to a concert of action in charitable matters, and was, in a way, the forerunner of the Board of Guardians.

Under Rabbi Solomon's guidance the community grew from day to day, and the Duke's Place Synagogue was rightly called the Great Synagogue, its development being the most marked. He is reported to have been very tolerant towards the failings of others during the early days of his activity in London. He did not repulse those who transgressed the Law, but tried to influence them by kind words and often by a little pleasantry. The story is told of a prizefighter who became a religious man through one kindly act of the Rabbi. On Sabbath R. Solomon wore a long white silk robe, and was once, clad like this, on his way to Synagogue attacked by a few hooligans. The Jewish prizefighter saw this and dispersed the crowd. Thereupon the Rabbi took his rescuer's arm and walked with him to Synagogue. On being approached for having in this way shown appreciation of one who publicly transgressed the Law, he answered: 'The path of repentance is open to all'. It is reported that from that day the prizefighter became an observant Jew. Yet another tale of a different tendency has remained in circulation, showing that, where the observance of the Law and orthodox customs were concerned, Rabbi Solomon knew no com-

promise. Asher Goldschmid, one of the principal members of Duke's Place, once wore his boots instead of slippers, as is customary, when called up to the Law on Atonement Day. The Rabbi ordered him to descend from the reading desk. It was Goldschmid's custom to send the Rabbi a present of fish for every Succot. On the eve of that festival following this Yom-Kippur the Rabbi told his wife to buy fish, as he did not think Goldschmid would send any. The fish, however, arrived, and with it an ornamental box containing a doctor's certificate which stated that it would have been injurious to Goldschmid's health had he worn slippers on Yom-Kippur.¹²³

Especially strict was R. Solomon as regards the religious conduct of the Shoḥetim. MS. Adler 2261 gives the names of those authorized by the Rabbi during the years 1822-42, and contains even some who were authorized by his successor, Dr. N. M. Adler, the latest date being Ab, 1845. Every Shoḥet had to give the following undertaking: 'I herewith undertake by giving my hand to the Rabbi, that I shall not slaughter (any animal) where there is another Shoḥet authorized by the Rev. Rabbi of London; even for my own use I shall not do so. At any time, should the Rabbi forbid me, if only by word of mouth even, to slaughter, I shall obey him at any place I may be. I further promise not to shave my beard and not to drink wine that is not specially prepared for the use of Jews.' Some of the names mentioned in the manuscript are of interest. Jonas Levy from Exeter receives authority to act as Shoḥet for Philipp Symonds in Cincinnati, Ohio, United States of America (No. 5). In 1788 Mr. Abrahams of Van Demons (Diemen's) Land shakes hands on his appointment

¹²³ צבי לערין, p. 177, note 21.

(No. 49), while on Jan. 5, 5589 (1829) Arjeh b. Jacob Hāzan in Jamaica (he writes 'Jamicar') signs the pledge. The list of places in England where a Shoḥet was employed is especially interesting, and we give therefore in the Appendix the whole list of the 152 Shoḥetim mentioned in the MS., together with the date of their authorization and the place of activity. Some of them could not write Hebrew, and the undertaking is written in English; others could not even sign their name otherwise than in English. The place of origin of these Shoḥetim was in most cases Poland and Russia, but also Germany is fairly often represented, e.g. Moses b. Leb Dēutz of Frankfurt called himself Moses Levy, and was Shoḥet in Dover (No. 25); Michael Zalman b. S. Pollak of Schoenlanke was in Plymouth (No. 10), and Moses b. Hirsch Lissenheim (No. 109) signs 'from Schoenlanke'. Michael Elijah b. R. A. hails from Rawitsch (Nos. 15 and 72), while Simon b. Jacob came from Wreschen in Posen (No. 75), as well as Shelomo Zalman b. Rabbi Eleazar Schottlaender, whose father had been Dayyan there (No. 97). Breslau (No. 100), Nürnberg (Nos. 105 and 137), Posen (No. 128) are all represented, but we find names even from Hungary (No. 50), Galicia and Holland (Neumegen, No. 12). In one case R. Solomon adds to the usual undertaking that the Shoḥet in question (Isaac Jacob b. A. Cohen) promises not to officiate in Oxford, which points to the probability that there was already some one else authorized for that place, and we must at least infer from it that several Jews were domiciled then in the famous University town, while to-day only two or three Jewish families are permanent residents there, and they do not require the services of a Shoḥet.^{123a}

^{123a} MS. Adler, 2257, p. 25, mentions: Mr. Wolf Harris, resident in Oxford in 1839.

Bidefield could also boast of such an official, and I was unable to ascertain whether any Jews are to be found there at the present time. Cheltenham, Norwich, Bedford, Chichester, Canterbury, Scarborough, Greenwich, are likewise worth mentioning. In 1845 Sir Isaac Lyon Goldschmid engages Edward Himes (Hyams?) as special Shoḥet for himself (No. 144); that, however, occurred after the election of Dr. N. M. Adler. During the vacancy the pledge was given to the Beth Din.

The Beth Din in R. Solomon Hirschell's time consisted of two Dayyanim and a Sofer (scribe). MS. Adler 2257 contains the short minutes of the Beth Din from the years 1833 (5 Tishri, 5594) until 1855.¹²⁴ The first case recorded is a divorce, given in the county of Guilford [במטרת גילספורט] ¹²⁵ by Isaac b. David to his wife Hannah daughter of Alexander, and the officiating Rabbis were R. Solomon Hirschell, R. Zeev Wolf (who soon afterwards died, as he is styled *מ"ה זאב וואלף ז"ל*), and one R. Solomon (*והח"ר שלמה*). In the second case the Dayyanim were R. Zeev Wolf, who is now called Gallin [*מ"ה זאב וואלף גאללין ז"ל*] (or *גאללין*) and R. Ḥanoch Zundel of Jerusalem, while in the cases Nos. 3 and 4 (Tebet, 1838) the Dayyanim were R. Azriel b. David Levi and the said R. Ḥanoch Zundel ¹²⁶ (p. 1 a).

¹²⁴ The manuscript is a quarto volume of sixty-five leaves—fol. 9 is missing—and represents apparently the notes of the Sofer (and afterwards Dayyan) R. Aaron Lissa. The signatures of neither R. Solomon Hirschell nor Dr. N. M. Adler are to be found there, but generally the Dayyanim signed the book.

¹²⁵ Page 5 b is mentioned a divorce, given at 'King's Bench near London' . . . למתא לונדון, במטרת קינם בענש הסמוך למתא לונדון, and a note added: וכן כתב בנוסחא מנט אחד שהי" ג"ב בקינם בענש בשנת תקע"ו במטרת קינם בענש הסמוך למתא לונדון דיתבין.

¹²⁶ R. Ḥanoh's signature on p. 3 a is: נאום חנוך זונדל בהרב מ"ה צבי הירש זעל"ה.

In case 5¹²⁷ Judah Leb b. Aaron Moses figures as one of the assessors, but his name does not occur again, and instead of him R. Arjeh Leb b. Rabbi Issachar Ber of Krotoschin officiated as Dayyan.¹²⁸ He occupied the position from 1833 and his signature as well as that of R. Azriel b. David Levi (who always signs first and appears therefore to have been the senior Dayyan), and of R. Aaron Lisser appear throughout the whole MS. R. Aaron acted generally as secretary except in the years 1841 (p. 31 a) to 1845 (p. 39 a), when R. Eliezer b. Uri Lisser was Sofer.

The minutes in MS. Adler 2257 refer mostly to divorce cases, of which about 13 to 15 took place every year. There are many instances of conversions to Judaism, mostly of women who were about to marry Jews, and others who lived with Jews and had children from them, in which cases the children were likewise converted. The English law did not permit conversion to Judaism. The 'Act for the more effectual suppressing of Blasphemy and Profaneness' of 1698 provides: that if any person 'having made profession of the Christian religion within this realm shall by writing printing teaching or advised speaking, deny any of the Persons of the Holy Trinity to be God shall from henceforth be disabled to sue in any court of law or equity or to be guardian of any child, or executor or

¹²⁷ Son of Mr. Samuel Alia St. טבת: יו"ב' יא נטבל לפנינו ח"מ דוד ב"ר שמואל דוב הנולד לו מנכרית והוא בן חמשה עשר שנים ומעתה הוא ראוי לבוא בקהל ישראל ובעודו במים עד צוארו קבל לפנינו ח"מ כל דין ודת תורתנו הקדושה, נאום עזריאל בהמנוח מ"וה דוד הלוי ז"ל נאום יהודא ליב בכ"ה אהרן משה זצ"ל נאו' ה"ק אהרן ב"רי מליסא.

¹²⁸ His signature is: נאו' ארי' יהודא ליב בהרב מו"ה יששכר בער: מקראטאשין. His father, R. Issachar Beer, it seems, died about 1838; his son puts זצ"ל for the first time on 4 Hesvan 5599 after his name (p. 24 b).

administrator of any person, or capable of any legacy or deed or gift and shall also suffer imprisonment for the space of three years without bail or mainprize from the time of such conviction' (H. S. Q. Henriquez: *Jews and the English Law*, London, 1908, pp. 13-14). This Act enabling criminal prosecution against Jews who obtain proselytes from Christianity, though never acted upon, still remains in the Statute-Book as part of the Law of England (*ib.* p. 18). During the Rabbi's tenure of office a non-Jew who desired to convert to Judaism had to go to Holland or other places on the Continent to undergo the ceremony, the London Beth Din only confirmed¹²⁹ the act by the repetition of Tebila (טבילה) or in cases where the authority of the continental Beth Din was not sufficiently proved (New York, p. 57 b).¹³⁰ The majority of these people went to Rotterdam, some to the Hague and Amsterdam, others to Elburg, but a case from Paris is also recorded. This refers to a lady called Sarah, who was engaged 'to one of the Rothschilds' in 1840, and the minute book states 'she was obliged to come to London from Dublin to undergo again the ceremony of the ritual bath (p. 29 a).¹³¹ Conversions which took place in Holland are recorded even on the last page of the MS. of the year 1855; a Dr. Samuel, who is often mentioned, acted as Mohel in cases of conversion of men.

The MS. is full of other important information relating

¹²⁹ Page 3 b (19 Tebet 1833): הסכים לילך לק"ק אמשטרדם להיות: . . . נימול שם מחמת שאין רשות במדינה הזאת לגייר שום אדם.

¹³⁰ כי מעולם לא הכשרנו גטין הבאים מאמערקא.

¹³¹ סיון: יום ה' ב"ר נטבלה בפנינו בד"צ הגיורת שרה אשר נתגיירה ב"ק פאריז והיא מיועדת לאחר מן האחים הנקראים Rothschilds ומחמת טעם הכמסד הוצרכה לבוא הנה מוק" דאבלין לטבול פעם שנית ומעתה היא . . . מותרת להנשא לישראל חוץ מכהן. (follow the signatures of R. Azriel b. David, R. Aaron Lissner, R. Arjeh Jehuda Leb Krotoschin).

to the contemporary status of the London Jews, and it would be a laudable undertaking to have it printed in extenso. To mention only a few items. The names of the Jews are already then nearly all anglicized, Levy, Benjamin, Nathan, Cohen, Lazarus, Harris, Samuel, are very frequent, but we meet also names like Baker, Moseley (p. 19 b), Butcher (p. 20 b), Lyons (*ibid.*), Marks, Lewis (p. 21 b), Jones (pp. 33 and 40 b), and even Picard¹³² (p. 43 b). Mr. Levy of Eagle Court, Strand, calls his daughters Minky, Polly, Betsey, and Fiby (1840, p. 27 b). The places of residence are likewise of interest. A certain Hindele, daughter of Jacob, lives in her father's house No. 87 Piccadilly (1835, p. 10 b), while Mrs. Ber Reeves, whose husband divorced her on the 3rd of Sivan, 1837, lived at 35 Great Marlborough Street, which house was the property of a Mr. Rolfe. Most of the Jewish addresses were, however, in the East End and City, some of them are given with special accuracy: '13 Mount Terrace, Whitechapel, opposite Pavilion' was the dwelling of Haim b. Isaac in Gnesen, who had become 'Henry Marks of London', and married secretly the girl Leah, daughter of Isaac Alexander in 1838 (p. 21 b). Of special interest is the record (לזכרון) of the erection, in 1838, of twelve new, fine houses called 'New Buildings' in Devonshire Street, Bethnal Green, built by A. L. Moses, Esq., for twelve honourable men and their families, 'houses the like of which never were built before'. Moses also erected there a Synagogue, which should be open for prayers day and night, and appointed a scholar who should 'learn' there Torah every evening before the evening prayer (קודם תפלת ערבית).

¹³² Notable is the following entry, p. 11 b, בא' בו בא' יו'ב' כסלו תקצו
'לפני בר"צ האשה ניכל בת יוסף ז"ל אשר ה' נקרא בפי כל' 'Jew boy'.

R. Solomon was asked to make an Erub (עירובי חצרות) for the inhabitants of that courtyard to enable them to carry from one house to the other on Sabbath days, for which purpose the Rabbi appeared and addressed the new residents with words 'entering the hearts', impressing upon them the importance and the holiness of the Sabbath day, and made them promise not to carry *outside* that court (p. 23). The ceremony took place on the 6th of Tammuz, 1838.

At other times cases of less pleasant character called for the attention of the Beth Din. Mention is made of people who are transported to Sidney for a number of years, and the wife commits adultery in the meantime. Cases of the marriage trick (see above, p. 467) are recorded several times. Civil cases, which as a rule form the greatest part of a continental Beth Din's activity, were hardly brought before the London Rabbinate, unless it be that they were recorded in another book, against which speaks the fact that one or two are recorded. On p. 29 b we find the claim of Zeev Wolf Raphael (רעפאל) of Cologne (מק"ק קעלין) against Meir, the Reader of the New Synagogue, for the return of a bag of money containing £475. Raphael had given him a sack in which were two bags, but only one was found on reopening the sack. The Beth Din decides that although there is not a shadow of doubt upon the honesty of the Ḥazan Meir, he was, as guardian of the money handed to him, responsible for the loss, and would have to pay the whole money claimed if Raphael confirms by oath that the sack contained the amount. In order to free Raphael from the oath the parties agree that R. Meir should pay him £315 by monthly instalments of £5 each (27 Tammuz, 1840, p. 29 b).

Of the further contents of the MS. are to be mentioned a copy of a Responsum of R. Akiba Eger, Rabbi of Posen, in matters of a Get. The letter was received by R. Solomon on Friday, 3 Kislev, 1835, and he is addressed as לנכבוד חביבי הנאון האמיתי המפורסם מו"ה שלמה נ"א בר לונדון (p. 7 b).

A Responsum by R. Solomon in answer to a question addressed to him by Jacob (of?) Sunderland, referring to a mistake found in a scroll of Law is found on p. 22 b, while on p. 35 a is a document of testimony from Manchester signed on 17 Heshvan, 1843, by Simon b. Reuben, Parnas of the congregation, Abraham b. Jacob Benjamin Zeev Franklin, warden of the Hebra Kadisha; Eliezer b. Abraham Judah, and Israel Joseph, son of the Rabbi Aaron Mirels, Shoḥet and Reader of the Manchester community. The testimonial referred to the conversion in Rotterdam of a lady, who, accompanied by Isaac, son of the warden Abraham Franklin, i.e. Dr. I. Franklin, went to Rotterdam and brought the document of the Beth Din from there to Manchester.

R. Solomon was, as is apparent from the foregoing, conscientiously and strictly religious, and was recognized as an authority in Rabbinic Law. The community appreciated their Rabbi, and held him in high esteem to the end of his days. We hear in 1841 that 'at a banquet held at Birmingham the health of the Chief Rabbi was drunk, everybody rising in respect'. This was no more than he deserved. His whole life was devoted to the care of his congregants. Even their private interests were furthered by him where and whenever he could be of help to them. We have, fortunately, in MS. Adler 4160 a number of letters preserved which give us an account of the last

fourteen years of his life and activity. This MS. contains copies of letters of R. Solomon in Hebrew and English, dealing with family affairs and official correspondence. The MS. consists of 269 folios in large 4to, of which fols. 39-95, 98 a, 100 a, 160 b, 165 b, 187 a, 189 a, are entirely blank, while others are only half filled. The English letters cover most of the written pages. The dates extend from 5586 (1826) till 5600 (1840). He signs mostly '*S. Hirschell*', not *Herschell*, and the address of his residence is given as '5 Bury Court'. The MS. represents a wealth of material not only for Anglo-Jewish history, but also for the History of the Jews in America, always closely related to the same, and to the Jews of Poland and Russia. His correspondence with Poland was so large that he had to petition the Government in respect of letters sent to him without the postage having been paid by the sender. This document is written on Nov. 18, 5588 (1727), and is addressed to 'Francis Freely, Esq.' (MS. Adler 4160, p. 163 b), and a few passages of the same may be quoted: '... In the first place I beg leave to acquaint the Honourable Board that having passed the early part of my life in study of several of the Jewish Colleges in Poland, as well as having officiated for a time as Chief Rabbi in that country, I became generally known throughout the several congregations therein, and having since been called to that office in (p. 163 a) this great and important metropolis, it is a natural consequence that all those who have no commercial or natural connexions in London fly to apply to me as a resort to assist their various wants or inquiries, besides, as the principle organ of Religious or Statistical regulations, a considerable correspondence is necessarily imposed on me with respect to marriages, divorces, &c., &c.,

those combined causes join to overwhelm me with letters which in no way concern me, and induce an expense far beyond my means to supply, and from my unwillingness to return letters which appear to have the most distant probability of being important to poor persons although unknown, I am in possession of a considerable number for which I have paid the postage, but which I neither know whom to deliver or expect to be repaid.

Great as this evil may be, I should (be) content to sacrifice all that I can for the benefit of the many wretchedly poor persons who are concerned, but the additional expense of the register renders this impossible, and on this point I request more minutely to enter into explanation in order to account for the number that arrive under this increased expense. It is greatly to be lamented that the Post Office regulations, and certainly a great number of delivery of letters sent by that conveyance are in great number of foreign states far inferior to that of this country's great commercial emporium, but most particularly is it to be deplored throughout Poland and perhaps Russia and nowhere so much in respect the communications for the smaller towns and villages therein, seldom does a letter from a private individual, unless a regular commercial established house, arrive at its destination whether the money received for postage is unaccounted for and the letter destroyed I will not venture to assert, but certain it is that if any person wishes to insure its transit it has uniformly been found expedient to register the same as then the office receipt is brought back to the sender, this part will account for the number of letters arriving with such a guarantee in this Country even from poor people to whom such letter is of vital importance, so strong indeed

is this truth that I have very frequently lost many important letters sent from my own family whom I have forbidden to register (such warnings are found in many of the Hebrew and Yiddish letters of this MS., e.g. pp. 10 b and 23 b), and very often receive letters from the circumatious (?) sorrow on that account. The forbidding the parties to register is impossible as few come from the same source, the number arriving are in great part from new and strange correspondents.

The evil of which I complain and hope for some arrangement to be made by the Honourable Board for my relief comprehending the levity to be wished for in behalf of the poor distressed correspondence is: the charge made by the London Office for Registry, which infinitely surpasses the postage. I am quite alive to the possible opening this may form for fraud, but the cases that come under my observation are in no way connected with mercantile or commercial concerns. The subjects generally consist of enquiries from wives after husbands, children after parents, subjects alas lately becoming too frequent in consequence of some severe Russian Decrees against our devoted nation, or professional letters respecting divorces, &c., &c. I am aware that in many instances where I have sent the parties themselves to claim their letters that the Registry fee has generally been remitted, but I wish it to be understood that I have never purposely sent them with an expectation that such would be necessary consequence. The Office must be best judge of its own actions. Where a particular request from me should be presented, stating the inability of the party to pay . . .'

What better proof is required for the saintly nature, kind heart, and at the same time for the honest, business-like manner of our Rabbi than this his own letter, which,

I believe, was written by his own hand, although most of the English letters were written by others according to his instructions, as he himself says in one of these letters. That the Post Office authorities handed out letters from abroad to poor people without making them pay the postage, was obviously done out of regard for R. Solomon Hirschel, and proves that he had influence even in non-Jewish quarters. Of this we have also other indications in this MS.

The Duke of Sussex was a great friend of the Jews; reports were current that he knew Hebrew which he had studied under the Rev. Solomon Lyon of Cambridge, and that 'he read daily portions of the Bible in the grand old language in which it was originally written', says Mr. Picciotto (*Sketches*, p. 286). Rabbi Solomon seems to have been well acquainted with him, as we see from a letter which he sent to the Duke in 1840 after a dinner at the house of one of the Goldsmids. The letter reads (MS. Adler 4160, p. 106 a, middle):

'May it please Your Royal Highness:

I respectfully crave Your Royal Highness permission to offer my humblest apologies for having withdrawn from Mr. Goldsmids without offering my humble duty to Your Royal Highness: but as I felt very unwell and did not wish to derange the party, I left the house without bidding farewell to any one.

That it may please the great and merciful Lord of all long to preserve and prosper Your Royal Highness, the friend of Israel, the zealous patron of justice humanity and liberality is the sincere wish of Your Royal Highness faithfully and obedient . . .

5 Bury Court City

24 June 5600 am.

To His Royal Highness the Duke of Sussex.'

We have also other correspondence with non-Jews. At the time of the blood-libel in Damascus (1840), when Sir Moses Montefiore and M. Crémieux played such a splendid rôle in vindicating their brethren in the East and the Jews in general, R. Solomon Hirschel apparently declared publicly on oath that Jews never use nor have ever used human blood in connexion with any of their ceremonies. The MS. contains a 'copy of a letter addressed to Dr. Hirschel' by a Mr. John Joseph Stockdale of Gloster Gate, Regents Park, dated July 4, 1840, wherein the writer reminds the Rabbi that his oath, 'pure in its intention and spirit as I am satisfied it is, may not go farther than you contemplate. According to our Chronologists in the year of the world 2106—or when the L—d G—d Omnipotent constituted Abram and his seed by Isaac, G—d's peculiar people, he appointed *circumcision* as the seal of such covenant. Should no blood be shed in your rite of circumcision your oath is, I admit literally correct; but if circumcision induce blood, I submit it to your consideration.' Although the writer adds: 'Permit me to add, I could not for an instant implicate the sacred purity and propriety of what you meant to swear, "no use of human blood in any human rite", I believe your object to be truth, charity, and humanity, pursued with zeal, which I wish were universal. Pardon me, who I am an unworthy Christian, but not less an admirer of G—d's peculiar people, of whom your ancestors and Self for more than ten generations have been chief spiritual guides . . . pardon me I repeat the bold, but not unholy intrusion' (pp. 104-5).

We find no answer of the Rabbi recorded. The writer's bad faith was apparent, for, if he knew anything about Judaism and Jewish rites, he must have known that even

at the ceremony of circumcision, the blood itself is not used, but is washed off and dried up in the ordinary surgical way. The Rabbi therefore probably thought it best not to answer, for he did not believe in polemics with people of other faiths. Such polemics could only bring about conflicts between the adherents of different religions. The Rabbi says so plainly in a letter to Rev. T. Smith (p. 135 b), which reads: 'Dr. Hirschell's compts to the Rev. Mr. T. Smith, assures him that his occupations have been too multifarious to allow him to peruse the sermon sent, and having long made up his mind not to enter into Polemical Correspondence on religious subjects seeing that each Party remain of the same opinion still, and that they only produce and augment a bitterness of spirit, he must decline replying to the questions proposed on the verses of Daniel, which have so long been subjects of dispute and of acknowledged mystery. Neither can he consider the tone of the second note enticing, nor the threat of publication imperious enough to induce him to alter his resolution of avoiding all conflict between religionists.

5 Bury Court

Nov. 25th 5591 (1831).'

The Rev. T. Smith was probably in league with the 'London Society' for Promoting Christianity among Jews, founded in 1808, which at the time this letter was written, unfolded a feverish activity among the Jews, and not always without success. The Rabbi, although he did not enter into public discussions, did his best through activity among his own congregants, to frustrate the missionaries' efforts. Among the leaves of the MS. (between pp. 105-6) I found a loose letter addressed to a Mrs. Magnes, asking her to help her son-in-law in bringing up his children in

the faith of their Fathers. 'I feel extremely sorry to state to you this most unpleasant affair of your Daughter, which I suppose you are already acquainted with, who after receiving so frequently your kind assistance in perhaps more than is in your power, has thrown herself away with her 2 children. But what is past can not be recalled. Yet as the children have been so fortunate that their Father arrived from America and in the midst of great sorrow and calamity has tried to rescue the innocent children and has taken them out of the hands of everlasting ruin, I feel it my duty knowing you for so many years always acting up to our religion in the strictest manner, and never withheld your assistance to the poor, where is there greater and important Charity than to save innocent children from the hands of גוים much more your own dear grandchildren which are considered as your own children, that you will do what lies in your power to assist their Father to keep them.' Equally important is another letter addressed to a member of his congregation warning him not to attend meetings of supporters of the London Society (p. 146 b). The letter was written on Feb. 22, 1827, but no name is mentioned. 'Sir, Allow me from the nature of my Office as well as from my conscientious feeling to call your attention to the necessity of not only duly practising the duties of our holy religion but also of avoiding in places where contrary doctrines are held forth as it appears you have done by attending at a Meeting held by the supporters of the London Society, where much was spoken by one who has abrogated the Jewish religion for reason best known to himself. The presence of any Jew at such a meeting is not only improper in itself, but gives an apparent sanction or approbation to it and, however un-

founded, encourages a false hope in the practice that their preaching has effect. Let me therefore caution you not to appear at any of such meetings lest it should appear as if you encouraged the system when you merely went from curiosity: (Prov. c. i. v. 15) *בני אל חלך בדרך אחם מנע רגלך מנתיבתם* and let me direct your attention to the fifth chapter of Proverbs which alludes particularly to the doctrines of such a society.

Nor let any personal figure (feeling?) against any member of your congregation induce you to act so unwisely merely in opposition to them *ישמע חכם ויוסף לקח* (*ibid.* c. i. v. 5). I hope you will take this in good part and believe it is transmitted to you in good faith and with the best wishes of your welfare by your

sincere friend.'

Other letters referring to missionaries are on pp. 201, 203, 235 a, 256, 259 b, 260. On one occasion he requests a provincial congregation to give every facility of returning to the Jewish fold to a man who seems to have repented his conversion to Christianity. If he publicly atones and in the Synagogue declares that he again wishes to adhere to the Jewish faith and to the tenets of Jewish Religion he should be received in a friendly manner and supported in his efforts to again become a true and faithful member of the Jewish community.

A. 'Society for the prevention of Juvenile corruption' called itself likewise the 'London Society', and R. Hirschel writes with reference to this (p. 201): 'I need not add that your Society has my best wishes and that any assistance in my power will be readily afforded. I would recommend that your circular be sent to each of the Synagogues in the Metropolis, a list of which I add. I must however beg

leave to observe that the designation "London Society" which you have adopted is rather felicitious (unfortunate?) as you expose your laudable association to be compounded with, and mistaken for another "London Society" for promoting Christianity among the Jews, for the confusion of ideas resulting from this similarity of designation may tempt many to identify you with the other London Society which certainly does not number many friends among us.'

A missionary Mr. Wolff, by all appearances an apostate Jew, receives the following letter in answer to a request for an interview:

(p. 144 a) 'Copy of an answer to Joseph Wolff, a missionary for Palestine.

'Dr. Hirschel acknowledges the receipt of Mr. Wolff's letter, but feels it is inconsistent with his official situation as it is incongruous (*sic*!) with his personal feelings that he should admit Mr. Wolff to be capable of reporting any conversation between them on his return to Palestine.

'Dr. H. has however no objection to receive any observation Mr. W. may think for to communicate to him in writing.'

The position of the Jews in the East, and especially in Palestine, was a very precarious one at the beginning of last century. Cries for help from their starving brethren in the Holy Land reached the ears and hearts of the Jews all over the world. A society called Pekidim and Amar-kulim of the Jewish Congregations of the Holy Land was formed in Amsterdam under the presidency of R. Zevi Hirsch Lehren (1784-1853), and his brother Akiba Lehren (1795-1876), and a similar society was formed in London in 1827 (cp. *J. E.*, vol. VII, pp. 668-9). The appeal was made by the Rabbi at a meeting of the Sheḥita Committee quite spontaneously, and the Parnassim of the Synagogue

at St. Albans Place were offended that they had not been approached to become members of the committee set up for the purpose. R. Solomon Hirschel sends them a letter of explanation on June 12, 5597, and asks them for help 'in behalf of those unfortunate sufferers'.

The Committee consisted of J. Guedalla, Sir Moses Montefiore, and H. Bensusan. Similar societies under the name 'Hebrat Terumat Hakodesh' were formed also in America. In New York 'Geo. A. Fürst, Esq.' was Secretary to that Society, and the London Committee informs him in June, 1836, that they had resigned their offices, asking him to instruct the 'Rev. Dr. Hirschell as to the way in which it is your pleasure he should dispose of the moneys you have remitted to him' (p. 187 b; also p. 204 b). In Charleston, S. C., Mr. H. M. Hertz was chairman of the Society (p. 191, dated 5596; p. 204 a, Elul, 5597; p. 204 b, Jan. 4, 5597, when the money collected at Charleston is sent by Mr. S. C. Levy of that city to Messrs. Rothschild). A Mr. D. Davis of New York dedicates his lectures to the London Rabbi, who, on Aug. 27, 5597, sends him 'best thanks for the honour you confer on me. Permit me to assure you that I deeply sympathize with our brethren in the Western Hemisphere and am happy to find they are not inattentive to their best interests, moral and mental improvements, and consequently obedient to the Laws and observances enjoined by our G—d and bequeathed unto us by our fathers.

'That the Giver of all Good may vouchsafe to render your efforts to instruct his people as useful as they are will . . . and reward your zeal with all happiness here and hereafter is the sincere wish of,

Dear Sir,

Yours very truly.'

The congregation of Kingston in Jamaica addresses several questions to the Rabbi. On one occasion he sends with his reply: Regulations for the Kadeshim (קדישים) on the eve of the 9th of Ab, 1841 (pp. 97 a-96 a), while in 1830 he had addressed a letter to 'Messrs. P. Lucas, H. Levy, D. Jacobs, of the British and German Congregations of the Jews in Kingston in Jamaica, dated Feb. 2, 5590.' He writes: 'Gentlemen, yours of the 9th Nov. ult. I have received and feel obliged by the polite mode in which my official actions are acknowledged and in return must express myself as ever ready and willing to promote the welfare of the English and German Congregation at Kingston.' The letter deals with a case of Halizah of a Mr. Benjamin Phillips. Another letter (p. 235 a) is addressed to Messrs. Lawrence, Jacobs, and Lyons, Committee of the Vestry, &c., Kingston.

R. Solomon was not always reluctant to enter into correspondence with non-Jews. A most cordial letter to Colonel Powell, who was a friend of a Mrs. Emanuel, is found on p. 113 b. The colonel had asked him for the meaning of the word קדוש (he spells it in English as 'Keedush'), which question is answered fully on three pages (113 a, b, and 112 b). The letter concludes, 'Dr. Hirschell regrets to learn that colonel Powell is indisposed. He had (as he thought) understood from Mrs. Emanuel that colonel Powell was desirous of personally to communicate with him, which was the reason why Dr. Hirschell appointed a time for the interview, as his advanced age and infirmities do not permit him at all times to receive visitors' (March 20, 5600).

A 'friend of Israel' receives the following answer (p. 124 b): 'Sir, the letter you addressed to me, and the call you and your friend Mr. Simpson have favored me

with afford me the agreeable satisfaction of knowing that among your people, the friends of truth and universal happiness are anxious for the restoration of Israel and address their supplications to the most High beseeching him to hasten the day "when the whole earth shall be filled with the knowledge of the Lord". To us the scattered Remnant of Israel the certainty of our hope, the conviction "that God is not a man that he should lie, neither a son of men that he should repent", the perfect reliance which consequently it behoves us to place in his sacred promise—has during centuries of suffering such as no other nation ever experienced—afforded constancy unyielding and submission unrepining, without a murmur we receive the chastisement his paternal hand inflicts and tho' our fervent prayers implore his pardon and supplicate his mercy, submission to his will is our first duty.' The letter goes on to prove from scripture that Israel must wait patiently for redemption, which can only come from God alone (pp. 121-2 where the first page is re-written). Unfortunately the name of Mr. Simpson's friend, to whom the letter is addressed, is not disclosed.

Mr. Peppercorn, another non-Jew, author of the 'Laws of the Hebrews relating to the Poor', receives a letter of thanks from the Rabbi for a copy of this work. ' . . . The Rev. Dr. will take the earliest opportunity which his advanced age and pressing avocations permits, Mr. P's work by comparing it with the original of Maimonides and will not fail to acquaint Mr. P. with his opinion on that, till then he can say he is much pleased to see the truly philanthropic love of his Nation, enlisted as the Auxiliary of Charity and Benevolence.

' 5 Bury Court

' 2 May, 5598.'

Among letters to individuals we find such addressed to Sir Moses Montefiore (p. 218), to Amshel Mayer Rothschild (pp. 146 a, 183), Solomon Heine in Hamburg, Dr. Raphael, Leopold Dukes (pp. 208-9), and others of less note. Letters to provincial congregations fill by far the greatest part of the volume, and deal mostly with ritual questions such as the appointment or dismissal of a Shoḥet, marriages, and divorce cases, but also on occasions when internal strife, quarrels among the individual members disturbed the peace in a congregation, the counsel and advice of the Rabbi was invoked. Portsmouth gave him most trouble in this respect (pp. 99 a-107 b, 116 b, 119, 130 a, 135, 143 a, 148 b, 169 a, 221 a, 223 a, 229 a, 244 b, 261 a). One passage in a letter to this congregation (p. 106 b) could well be applied in our days. 'Do not let selfish considerations stand in the way of unanimity and Concord. Those who hold offices should recollect that they are not appointed for the qualification (gratification?) of their vanity and self importance but for the good of the congregation. And those who do not hold office should remember that officers duly elected by the majority are entitled to respect and obedience. Do this and good feeling and propriety of conduct will soon be restored among you for G—^d will bless his people with Peace.' Among other congregations are to be mentioned: Bath (p. 166 a); Brighton (pp. 109, 145 a); Bristol (pp. 167 a, 173 b, 176 a, 222 b, 227 b, 228 a); Birmingham (pp. 196 b, 212 a, 220, 225 b, 238 a, 239 b, 251 b); Canterbury (pp. 141 b, 181 a); Chatham (pp. 208 a, 252 a); Edinburgh (pp. 126 a, 179 b); Glasgow (p. 179 a); Ipswich (pp. 142 a, 232 a, 248 b, 254 a); Liverpool (pp. 115 a, 156 a: to Mr. Moses Samuel, St. James' Street, 194 a, 245 a); Manchester

(pp. 108 a, 111 b, 195 b, 251 b); Newcastle (pp. 142 a, 256 b); Jersey (p. 198 b); Plymouth (pp. 168 a, 215 a, 259 a); Portsea (pp. 118 a, 206 a, 249 b, 250 a); Swansea (pp. 225 a, 244 b); Southampton (p. 178 a). Letters in which the personal motive is predominant are perhaps more illustrating to show a full life-picture of our Rabbi. In this connexion one letter, of which my friend Mr. E. N. Adler said it was 'quite classical', is worth quoting in full. The letter (p. 268 a) is addressed to 'Master Elias', who, I venture to suggest, was the son of Hazan D. Elias of the Great Synagogue, who had to resign his position on account of ill-health in 1829 (Picciotto, *Sketches*, p. 333). The Rabbi writes:

'That you are obstinate and unruly I have long known: but that you would carry these faults to the extent you do, I did not expect. Recollect yourself and reflect on your situation. Your only hope of ever becoming a useful member of society rests on your behaving properly during your apprenticeship and learning your trade as you ought. Do this and I will still be your friend as I have been: but if you will be disobedient and persist in your ill conduct, I must decline assisting you or doing any more for you. You know what trouble and anxiety I have had on your account: and now I devote money and time for your welfare I have a right to expect that you should prove yourself worthy of my kindness, which you can only do by proper behaviour to your Master. If you quit him the money paid for you is lost, and I shall certainly not do any thing whatever for you. I therefore again repeat, reflect on your situation; your welfare or ruin depends upon your own conduct. Be wise and show those who have befriended you for your father's sake that their kind-

ness has not been wasted on you. If you do not bestow on my advice you will repent it when it is too late. I am your well-wisher as you behave.'

It is like the words of a father to his son that we hear spoken when we read these lines. Amongst all his activities, his infirmity, and in the midst of his continuous study and arduous communal duties, the Rabbi finds time to write a letter like this to a young boy whom he befriends. And this was not the only boy whom he took under his care. On p. 206 a of the MS. we find the copy of a letter to Messrs. B. and W. Levy at Portsea, dated Feb. 9, A. M. 5597, written on behalf of a young boy named Elkin Gollin, who was to be placed under the care of Messrs. Levy. The Rabbi would have liked the youngest brother of the boy to go to Portsea instead, but 'Mrs. Gollin not being willing to send her youngest son . . . in answer to yours of the 24th ult. concerning Elkin Gollin I beg to say that Mrs. Gollin is agreeable to send him to your care and I trust that under your protection he will do as well. You are no doubt aware of his being much younger than his brother Elias, and I hope therefore that your fostering kindness may be extended watchfully over him, were it possible I should be desirous of having a little conversation with you, whereby you might explain many points to me. . . .' The rest of the letter deals with the question whether a Jew having a non-Jew as partner may allow the business to be open on the Sabbath day, and the Rabbi replies in the affirmative with the reservation that the contract between the partners must clearly state that the profits made on the Sabbath day belong solely and exclusively to the non-Jewish partner.

Another document (p. 184 b) dated June 6, 5596 (1836)

reveals the Rabbi as peacemaker between father and son. 'I should have replied to your letter earlier but waited in hopes being enabled to affect a reconciliation between yourself and your family. . . . I have and am yet willing to do all in my power to make Peace, in the mean time you must not forget that it is your duty to open the road and to strive (strain?) every nerve to bring about the required object you are anxious to obtain.' The letter is addressed to the son, and I do not think it is a coincidence that the names of persons are omitted in the copies of private letters. He was so anxious to guard the secrets of others that he would not even entrust to his private copy-book the names of the people concerned. The letter of the Rabbi had the result hoped for, if, as we may assume, the letter following on the next page (185 a), dated June 15, 5596, refers to the same people. This letter is addressed to a brother of some one who had had a dispute with his parents. 'I am happy to find that my letter has produced the desired effect, indeed nothing affords me more pleasure than to promote peace and goodwill among my flock and much more between Father and Son and I hope that this will, at all events have the happy effect of teaching people to be more cautious before they take an oath, which I am inclined to think too frequently occurs from their acting from the impulse and passion, and not attaching that importance to the sacred name which as human beings they ought to do and next to this in the words of the divine Psalmist: "How beautiful and pleasant for Brethren to dwell together in harmony". I can assure you that my pleasure will not be a little increased by you and your Brother entering the compact and hence forward feeling towards each other as Brothers and men ought to do.'

A similar letter follows, very likely relating to the same people, bearing no date and no names; of this I shall only note the postscript: 'N.B. This letter will be handed you by Mr. Cohen to whom I have instructed to tell you that Immediately after the Post is in you will call on your Parents and ask their forgiveness and also write to your Brother and thank him for his interference. I have written to them on that head and trust that after all unfriendly feelings betwixt the families will be done away with. Should your parents not be at Portsmouth you will immediately on receiving this write to them and also to your Brother thanking him for his interference.' The beginning of the letter reveals the cause of the father's anger. 'I this day received a letter from your Brother of Southampton by which I was more than happy to find that your respected father is likely to be reconciled to the Marriage which you are about to celebrate, I hope to your happiness and prosperity, having done all my efforts to produce this desired end, I feel it now my duty to call on you religiously to perform your part, and as we hope to be forgiven our sins on our חופה day, so we must do our part to merit it. . . .' I have reproduced the last sentence for the purpose of preserving this old and beautiful Jewish tradition which I think is almost forgotten. To enable the young couple to enter the sacred state of matrimonial life in perfect purity of heart and purpose God forgives them all their sins on the wedding day. That is the reason why both bride and bridegroom fast on the wedding day till after the ceremony, an introductory part of which is that both say the afternoon prayer for the eve of Atonement day, with the full confessional prayers.

Among the professional Rabbinical letters we find

several addressed to R. Akiba Eger of Posen, to whom he sent money for distribution to relatives of London Jews living in Poland, to R. Efraim Zalman Margolies of Brod, to the Rabbi of Lemberg whom he calls 'cousin' and to the Rabbi of Paris (p. 250). Many of these letters refer to the divorce of his daughter Fegele, of which we shall hear later. He had correspondence with the Rabbi of Bordeaux, David Marks about the supply of Kasher wine and brandy (pp. 119-20) asking him to supervise the expedition of such wine by a wine merchant called Mr. Isaacson of Bordeaux. Page 269 has a note: הרב דק"ק מארזעליא מיכאל אליעזר הכהן ממעין.

Events in the commercial world were also taken note of. On p. 228a we read: 'Copy of the Cornwall Royal Gazette: The Queen has been graciously pleased, by warrant from the Lord Chamberlain to appoint Mr. H. Harris, No. 8 Leman St. to be her Majesty's Jeweller in ordinary at Truro.' Copy of a notice by the 'Wherry Mining Company, Mounts Bay, Penzance, Cornwall', informing shareholders that 'the third call of 30s. per share is now made', dated Nov. 27, 1837, discloses that the Rabbi must have had some interest in these shares.

A great deal of trouble must have caused him the letters received from Poland and the money sent through him for distribution in Poland. Apart from Rabbi Akiba Eger, his son-in-law R. Samuel Zelliker, husband of his daughter Golde, and his father Nahum Zelliker received remittances from our Rabbi for distribution in Poland. On one occasion the Rabbi nearly lost £104 in these transactions for the benefit of others (p. 11 b).

While their Rabbi was thus engaged working constantly in order to strengthen and preserve Jewish life and Jewish

tradition his congregation developed on what we call nowadays 'modern lines'. Already as early as 1821 a petition for the shortening of the Misheberach, signed by several members of the Synagogue, was submitted to the managing committee. The petitioners were anxious to improve the decorum of the Synagogue. They call the institution of Misheberach 'a system of finance for which the most solemn prayers are hurried over and which is inconsistent with decorum and public order'. This was a sign of the times, a beginning of the modernization of Anglo-Jewry which ultimately ended in the establishment—in 1841—of the Reform Synagogue. Although most of the founders of the West London Synagogue were members of the Sephardi congregation (three-fourths), the secession was more keenly felt by the Ashkenazi community. R. Solomon Hirschel issued a 'caution' on Sept. 9, 1841, stating that 'persons calling themselves British Jews publicly and in their published book of prayers reject the Oral Law', and further that 'any person or persons declaring that he, or they, reject and do not believe in the authority of the Oral Law cannot be permitted to have any communion with us Israelites in any religious rite or sacred act.' Picciotto tells us on 'unimpeachable authority that the Rev. S. Hirschel, as well as the Rev. D. Meldola, signed the above paper with the greatest reluctance, knowing that it would cause much exasperation', &c., and 'even after the Rev. S. Hirschel had been induced to affix his signature to the document, he wished to recall it. The caution was not promulgated for some time'. On Saturday, Jan. 22, 1842, it was read publicly in the principal Synagogues (*Sketches*, p. 380). Picciotto apparently knew only of the first caution, dated 24 Elul, 5602 (1841), and

issued soon after that date. The caution read on Jan. 22 was a second one, dated 9 Heshvan, 5602 (Oct. 24, 1841).¹³³ The Herem was read in all the Synagogues, except—which is worth noting—in the Western Synagogue, Haymarket, where the wardens refused to have it read. The Reform Synagogue was nevertheless established, and the Herem was afterwards confirmed again by the late Dr. N. M. Adler in 1846.

The stand taken by R. Solomon in connexion with this secession from the orthodox Synagogue was about the only part he took in the public life of the London community. His whole life was devoted to the study of the Torah and the exercise of the holy Law. From early morning till late at night, often till long after midnight, he was bending over the large folios of the Talmud. Of a keen intellect, he was more a receptive than a productive scholar, and too much absorbed in his studies to find time for writing works. No complete work of his remained after him, the products of his studies were only notes on the margins of the books he read, of which so far, nothing has been published. He was rather tall and of commanding appearance in his long robe and broad hat, but was rarely seen except on his way to and from Synagogue. He lived an ascetic life, and it is said that for years he did not eat meat from Sabbath to Sabbath, and fasted every Monday and Thursday throughout the year.¹³⁴

In 1825 Salom J. Cohen published the book *Elements of Faith* in Hebrew, with an English translation, by Joshua Van Oven. The publication was approved of by

¹³³ See W. Ayerst, *The Jews of the Nineteenth Century*, London, 1848, pp. 311 ff.

¹³⁴ *Voice of Jacob*, II, p. 59.

Rabbi Solomon Hirschel and Haham Raphael Meldola. 'It is necessary', writes R. Sol. Hirschel in his Hebrew approbation (dated 1 Kislev, 5575 = 1814), 'to make the Jewish youth acquainted with the elements of our faith, especially in this country. I have examined the book carefully and much approve of it'. This book and Rabbi Solomon Hirschel for recommending it were attacked by a man named Yomtof Bennet in a pamphlet entitled *טנא ביקורים* = A basket of Criticism (London, 1827).¹³⁵ Yomtof Baneth, or as he called himself in English, Salomon Bennett, was a native of Polotzk in White Russia, and after having been to Riga, Copenhagen, Berlin, and Paris, came to London in 1799. He claimed to possess a patent as Royal Academician of the Berlin Academy in his profession as engraver. He had acquired some Hebrew knowledge in his youth, but was not an observant Jew. 'As orthodoxy was not a favourite theme of mine', he says of himself, 'particularly as a foreigner and a single man, who cannot abide by all the strictness of ceremonial laws, I was then declared a heretic'.¹³⁶ He found friends among the 'English Gentlemen' who were divested of religious and national prejudices, but still he took a lively interest in Jewish communal affairs, apparently to a greater degree than was agreeable to the community itself. He says that Rabbi Solomon Hirschel carried hatred against him in his bosom

¹³⁵ Another controversial pamphlet appeared in 1808 under the title 'The Axe laid to the Root', or 'Ignorance and superstition evident in the character of the Rev. S. Hirschell, High Priest of the Jews in England, in several letters to him on occasion of his having ordered the trees to be felled in the old burial-ground at Mile End Road.' The author was Levi Alexander (*Bibl. Angl. Iudaica*, p. 112).

¹³⁶ See *Present Reign, &c.*, p. 4. I am indebted to Rev. M. Rosenbaum for calling my attention to this rather rare pamphlet.

since his stay in Berlin on account of some dissension between Bennett and his father, Rabbi of that metropolis. R. Hirschel, he complains, caused him 'losses of money of above one hundred pounds and imprisonments on account of his portrait'. I have not been able to discover what portrait this refers to. In the pamphlet 'Tene Bikḳurim', the English title of which is 'A Collection of Rabbinical Discussions and Criticisms', Bennett accuses the Rabbi of having given his approbation to a book which did not contain the 'elements of faith', but in many instances 'elements of unbelief' (p. 16). In answer to this pamphlet Mayer Cohen Rintel published a booklet called *מנחת קנאות* (London, 1817, printed by Jechiel Hanau, Bassist of the Great Synagogue), in which he vindicates the writer of the 'Elements of Faith' and the Rabbi. It is quite possible that the whole defence was prepared by Rabbi Solomon, Rintel being a Shoḥet and under his jurisdiction. At least Bennett says so in the reply which he published under the title 'The Present Reign of the Synagogue of Dukes Place displayed'. Rintel, in his *Minḥat Kenaot*, speaks of the Rabbi in very respectful terms: 'I know the mind of our revered Rabbi well', he says, 'he is a Zaddik who follows in the footsteps of his famous forefathers. He is a man (*נשיא הסבל*) without pride, not being pleased with praises, but he also does not grieve when he is blamed, and does not mind being criticized. I cannot, however, stand by and see our revered and esteemed leader's honour attacked.'

Bennett's account of R. Solomon is naturally quite different, but his charges are, after all, not so very serious, the principal one being that he cannot speak English, and that he had not yet published any literary work. His

picture of London Jewry, however, may be of some interest.

When he arrived there, he tells us, he found the doors of Jewish houses barred against him in spite of recommendations from friends on the Continent. 'It is a theme in their religious sentiments, if a Jew be not orthodox in the extreme they proclaim him to be an infidel, on the other hand, a man may commit all depredations and immoralities, if he contributed to and attended the Synagogue, he is then, they say, "a good Idde Kiend". Would I have been qualified to be a good companion, to associate in their convivialities, to give an Italian, a French or German song, would I possess *gallant politeness*, undoubtedly I might obtain their friendship, but alas! I was never educated to such fineries'. The causes of these views he explains by a further statement, that his brethren 'entertained an inherent hatred against him', and on which score he had never met with any cordiality from them. That 'proud Pontiff, R. Solomon Hirschell, even formed prosecutions and plans with those who cringe under his government to obstruct all intercourse among my nation', and all this on account of the small work entitled 'Tene Bikkurim'. He (Solomon Hirschel) became enraged like a tiger, and having been unsuccessful among the Chief Rabbis with respect to an anathema. he had that poultry-slayer Mayer Cohen, a member of the Petticoat Lane gentry, to compose the book *מנחת קנאות* = 'Avenge Offer'. The anathema was refused by the Rabbis, the Haham Raphael Meldola, and by R. Zalman Bahur and Wolf Lissa of the German Jewish Synagogue. 'One wretched hireling *Mr. Muday* of the Portuguese Synagogue was employed to ruminate the library of the Medrash', and from this and 'the extensive closets

of a Rabbinical library, which is only in the possession of R. Solomon Hirschel (if not in his head) was compiled the vindication entitled "Avenge Offer".¹³⁷ For the last 15 years of Rabbi Solomon's reign he never made any display of learning, but rather an exhibition of rabbinical books, constitutes his Rabbiship.¹³⁸ He presented an inventory of his Rabbinical library with no other views than to dazzle the sight of his illiterate adherents, as if possessing an extensive stock of learning exclusively of his council to consult on every trivial law, namely, R. Zalman Bahur, R. Wolf Lissa, Z. Mousse Croutchick, Muday, &c. It is Mr. Witherby (cp. Picciotto, p. 284 ff.; Wolf-Jacobs: *Bibl. Anglo-Jud.* nos. 407, 411, 415, pp. 71, 72), Doc. Van Oven, Mr. Joseph, the poet of Dukes' Place, Mayer Cohen the poultryman, who are Solomon Hirschel's Hebrew and English writers and the active part of his government.' He asks the Rabbi: Why is he so scrutinous of the supposed conduct of one individual, and yet so indifferent to the bulk of his Synagogue, the followers of his standard? seeing that the Royal Exchange, the Stock Exchange, and the Coffee-houses adjoining are all filled with Jew-merchants transacting business on the *Sabbaths* and *holy days quite public*. The Rabbi is also aware that the most part of the Jew-merchants transact business in their *counting and ware-houses* on the Sabbath days without exception; that Jewish shop-keepers, many of them, keep their shops open on the Sabbath day. 'I have very often seen myself', he says, 'Jewish picture dealers of pretended piety, furniture and cloth-sellers, attend public sales on the Sabbath day, all without blushing before the Christian community . . . and yet our pious grand Rabbi never rebukes the generality or any individuals

¹³⁷ See Bennet's *Present Reign*, pp. 12-14.

¹³⁸ *Ibid.*, p. 19.

for doing so. And why? We have sufficient reason to conjecture, because it would not answer so well his purpose, or because his followers would look upon him with a frown.¹³⁹ Better still than these outbursts are his statements in the Appendix from which I cannot refrain from quoting a few sentences. ‘People at large run away with a notion, *a man of high station in life*, when speaking of a modern Jewish Rabbi, whom they vulgarly call “the High Priest”. . . . In my country, viz. White Russia, and Poland in general, this title of “grand Rabbi” is quite a legend with the Israelitish public, and I do not hesitate to assert that taking on an average, *one out of two* are men of letters sufficiently qualified to direct themselves and their brethren so as to live according to the ritual laws of Israel. All the towns of the mentioned countries have chosen their Rabbis and teachers out of their own Israelitish inhabitants. . . . But different is the case in this country, scarce *one out of a hundred* of the native Jews who, though they understand a smattering of the Hebrew language, yet understand not the Hebrew rites, and their liturgy in general is quite out of the question. The Rabbies, &c., functions all must be *far fetched*, viz. from foreign countries. Nor is it necessary for a Rabbi in this country to be overstocked with difficult learning, as every dispute, even between brother and brother, comes before the Magistrate and Law courts. With vehemence I exclaim Alas! That the whole Hebrew literature is at stake with my people

¹³⁹ *Ibid.*, p. 56. Sol. Bennet published also the following works: *Constancy of Israel*, 1812; *A Discourse on Sacrifices*, 1815; דרוש תורני, *A Theological and Critical Treatise on the Primogeniture and Integrity of the Holy Language*, 1835; *The Temple of Ezekiel* with engravings by S. B. 1824. About him cp. Mathias Levy in *Jewish Chronicle*, July 31, 1903.

in this kingdom (p. 64). A Rabbi in this country is introduced rather by favour than by merit, and good recommendations of merchants is quite enough for his importation. Adding to this, they who instal the Rabbi, are, unfortunately, not the judges of learning and merit, and those who are the connoisseurs of that article have not any authority or vote to speak for or against that, which was decreed by the rich people.' All this is applied to R. Solomon Hirschel. 'Now for the happy year 1802! London stood in want of the article Rabbi; accordingly some of the Jewish merchants, the friends of the Rabbi at Berlin, recommended his son, the Rabbi of Prentzlow, to the Jewish merchants in London. Among the eminent literati were such as Abraham, Benjamin, and Asher Goldschmids; Amshell and Lizer Kysers; Samuel Joseph, &c. Having been proclaimed by these authorities Pontiff of Duke's Place, a stop must have been put to any inquiry whatsoever and whosoever.'

Solomon Bennet's attacks did the Rabbi very little harm. His charges were all clearly inspired by personal motives, and it mattered little whether Bennet considered him a great scholar or not. I have quoted the foregoing statements of Bennet in order to preserve the names mentioned therein, some of them well-sounding to this day in Anglo-Jewry, and in order to depict the state of affairs in the community as they appeared to him; part, at least, of what he says, must have been in accordance with the facts.

R. Solomon Hirschel's mode of life was very simple and modest, and he was able to save £14,000, which is the amount of his estate left on his death. About two years before he died, he accidentally fell and broke his thigh,

and never quite recovered from the shock. Two months before his death he fell again while walking in his room and broke his collar-bone. The effect of this fall caused his end on Monday the 27th of Heshvan, 5603 = Oct. 31, 1842, in his eighty-first year.

His wife Rebecca Koenigsberg had predeceased him by ten years. She died Wednesday, 6th of Tammuz, 1832, just while his son Saul, who had settled in Sandomishel province of Posen, was in London on a visit to his parents. Saul fell ill during the week of mourning, and died shortly afterwards in London at the age of thirty-three. He was one of the Rabbi's youngest children. Of his wife the Rabbi always speaks with great respect and affection, and his married life seems to have been a very happy one. On one occasion he writes to his son David Tevele, who was his eldest and most troublesome son, that he would not have answered his letter had not his mother said a good word in his favour (MS. A. 4160, p. 256). He had four sons and four daughters. The sons were David Tevele, Saul, Ephraim, and Zevi Hirsch. The daughters were Golde, Shendel, Fegele, and another who apparently remained unmarried and died some twenty years ago at Ramsgate. David Tevele married the daughter of Isaac, son of Jonah Reich of Gumbinnen. A daughter of his marries in 1827, and his father sends him 500 florins towards her dowry and 100 florins for wedding expenses. David does not seem to have been reliable in business, and his father sends the money to his son-in-law, Samuel Zeliker, in Warsaw with the order not to hand it over until the wedding-day (MS. A. 4160, pp. 25b-26a). The son belittled this contribution from his father, and he writes himself a letter and, in addition, induces his sister Shendel, of Rava, to plead on his behalf.

The father's answer has some reference to his own position in London: . . . וכבר כתבתי שלא תטו און לרברי הבל הבלים של העולם בכלל אשר פיהם שוא ירברו, והנה המעט הרבוי בכלי כסף וספרים, לא אמנע מי יתן והיתה ביכולתי לשבת על מי מנוחות ויהי' די סיפוקי מהרכוש אשר לי, ולהשליך מעלי עול הרבנות אשר כמעט נלאתי נשוא עוד מרוב העבודה והטרדות מלבד חולשת מוני ל"ע בעתים הללו [הללו] נוסף על מורת רוח, מהפריצות והעזות אשר עלתה בימינו בע"ו I have already . . . ' . . . I have already written you not to listen to the general talk of the world, they speak falsity. See the little possessions I have in silver and books, I do not deny having them, but I wish I could afford to sit quietly [live a retired life] and should have enough to live on from my income, to throw off the yoke of the Rabbinate from my shoulders, which I can hardly bear any longer on account of the heavy work and amount of trouble, apart from my weak state of health and the aggravation I have on account of the religious laxity and shamelessness which has become frequent in our days on account of our sins.' Is it not as if we heard the Rabbi's father speak seventy years previously? (MS. 4160, p. 26 a; cp. *FQR.*, N. S., vol. IX, pp. 124 ff.). On another occasion the Rabbi writes with reference to his fame as a rich man (p. 13 b). 'I am not a Rothschild perhaps not a tenth part of the tenth of his money do I possess, not in Pounds but not even in Thaler.' David Tevele afterwards settled in Jerusalem. When he left for the Holy Land the father gave him recommendations to Messrs. Hilbe Heugh & Co. of Beirut, and sent him letters through the British Consul in Alexandria and Jerusalem. The addresses were noted in MS. A. 4160, p. 269 a, as follows: 'Mr. D. Hirschell care W^m Young Esq^r H. M. Vice Consul Jerusalem care of H. B. M^s Consul Alexandria

via Marseilles.' The same address is repeated without the words referring to Alexandria.

Saul, the second son, had lived in Sandomishel, province of Posen, and died in London in 1827.

The third son called himself Ephraim London, and lived in Tysmeniça in Galicia.

The youngest son was Zevi Hirsch. For some time he was a wine-merchant in Cracow, and supplied wine to his father in London (MS. A. 4160, p. 13a); afterwards he settled, like his eldest brother, in Jerusalem (Zevi Laz., p. 177).

The eldest daughter, Golde, was married to Samuel, son of Nahum Zelliker in Warsaw, and seems to have been in good circumstances. They were, as mentioned, the agents of their father for distributing money from London Jews to relatives in Poland. On one occasion the Rabbi received a complaint from the senders that too much commission was deducted in Warsaw for a transmittance, and instead of 108 thaler 12 gr. only 102 thaler 20 gr. were received. The Rabbi warns his children not to do it in future, and appends some very sound morals as regards behaviour in business. They should not try to make too much out of one transaction, and in the case of transmittance of money from him, which mostly is done in the interest of poor people, they should not charge anything except the actual commission charged to them. 'Who knows how many have sinned in such matters, it is better to be economical and to lead a simple life, always to spend less than one's earnings so as to be able to save little by little. If our sages say that even the most liberal man should not give more than a fifth of his possessions for charity, how much less justified is anybody to spend more than

that for outward appearances. I was myself also a young man once and had money, but I would never do a thing like this. It is true I lost money, (otherwise) I never had the idea to become a Rav, indeed I intended to become a wine-merchant at a time when I had offers of several Rabbinate, but I wanted to live on my own earnings, although I could at the time already stand up and hold my own among Hebrew scholars, and also among people of ייחוס (ancient families) we need not be ashamed, but God said it should be (and so I had to become a Rabbi). My opinion has not changed even now, and I still hope he will enable me to live a retired life, so that I can serve Him for the rest of my days with all my soul and all I have.' This letter was written on the 27th of Tebet, 5587 (1827). There are several other letters written to this son-in-law and daughter dealing with remittances of moneys to Poland (pp. 5 b, 14 b, 18 b, 21 b, 22 a, 27 b-31 a).

The second daughter was Shendel, married to R. Michael Rawer (of Rawa). This son-in-law stood not in great favour with our Rabbi. On one occasion he writes he would send her some money to go to a watering-place for the benefit of her health, fl. 100, and if that is not enough her husband and his father should also give her something towards the expenses.

The third daughter Fegele, or Feige, caused him anxiety and trouble for many years. In 1827 she married in Poland, at the same time as her niece, the daughter of her brother David Tevele (p. 13 b). The name of her husband is not mentioned, but we know that he was a grandson of Rabbi Akiba Eger of Posen, being the son of R. Solomon Eger in Warsaw,^{139 a} with whom R. Solomon Hirschel stood in frequent correspondence (MS. A. 4160,

^{139 a} Cp. L. Lewin, *Gesch. d. Jud. in Lissa*, p. 246.

pp. 4 b, 10 a, 11 b, 12 a). In 1828 (23 Shevat) her father sends her an answer to a letter which she had written to him on the back of a business letter to some one in the provinces. He mentions in the letter the towns of Hamburg and Herzburg (Hirschberg in Posen), but we cannot gather from the same where she lived. The father would like to know whether she could send him from her place Hungarian wine, as he thinks that his son Hirsch of Cracow takes advantage of him (*ibid.*, p. 34 a). In 1836 we hear that her husband had become insane. The Beth Din of Brod (Brody in Galicia) was ready to arrange her divorce, as it is stated he was sometimes quite sane, but they required to be well paid for it, as they held the Rabbi of London to be a very rich man. Rabbi Solomon Hirschel writes to the Rabbi of Lemberg (no name is mentioned) on the 22nd of Elul, 5596, thanking him for the hospitality he granted to his daughter, and asks him to further the matter, but in a reasonable way, as he was not a rich man, and did not feel justified to sacrifice all he had for one child, while his other children were also in need of help from him (*ibid.*, p. 123). The divorce was not granted easily; a year later, on 1st of Ijjar, 5597, the father has still to plead the cause of his daughter with the Rabbi of Posen (p. 212 b), and the Rabbi of Amsterdam, R. Saul (p. 212 a). One Mr. Eiger married a granddaughter of R. Solomon, and was the chief mourner at the funeral.¹⁴⁰ It is said that the Rabbi, having been afraid that his children would not remain religious in England, sent them abroad when quite young so as to have them brought up in a religious atmosphere. This explains why none of his descendants settled in this country.

¹⁴⁰ *Voice of Jacob*, II, p. 58.

The funeral took place on Wednesday, Nov. 2, 1842 (28 Tebeth, 5563) with great solemnity. All the shops, even most of the non-Jewish ones, were closed on the route of the funeral, and his remains were interred in the burial-ground at Mile End. In his will he had forbidden all funeral pomp, and had expressed the wish that no funeral oration should be delivered. The Service was read by the Hazan, Mr. Asher. The 'Order of Service for the Funeral of the lamented Chief Rabbi Rev. Solomon Herschel, Wednesday, 29th of Cheshvan A.M. 5603', consists of fifteen pages 8°, and has the following Hebrew title: פסוקים ומומרים שיאמרו ביום קבורת אדו"מור הה"ג מו"ה שלמה נ"ע כ"ט מרחשון תר"ג (cf. Zedner, p. 477. A copy of this Order of Service is also in the possession of E. N. Adler). The Rev. Henry Hawkes, B.A., F.L.S., however, a Christian clergyman, held a funeral sermon at Portsmouth on the occasion of the Rabbi's death, which was afterwards published under the title 'Position of the Jews' (Green, Newgate St., 1s.). His text was, 'Know ye not that a great man has fallen this day in Israel?' (2 Sam. 3. 38). 'Who shall say how often his heart bled for the sufferings of his people? And will you not comfort those that mourn him?' are the words of this worthy divine. His sermon was a plea for the admission of the Jews to all rights of English citizenship.

The estate of R. Solomon Herschel was valued, as mentioned, at about £14,000. The effects were sold in February, 1843, by an auctioneer named Robin, and comprised many an interesting article, such as the already mentioned silver cup with the medal of Vespasianus, presented to R. Solomon's father by Mendelssohn. For the benefit of those to whom the 'Voice of Jacob' is not

easily accessible, I mention the following. Two curious spice-boxes, used at the close of the Sabbath, fetched £20. Two Hannuccah lamps fetched 10s. 6d. and 12s. per ounce. The trowel, used for laying the foundation-stone of the New Synagogue, was bought for that congregation. Some of the curious walking canes 'elegantly mounted with gold fetched high prices, one as much as £7 10s.' The total proceeds reached the sum of £1,400. The library was not included in the sale, but was afterwards purchased with money bequeathed by Mr. Solomon Arnold for the Beth-Hamidrash and the 148 MSS. were later catalogued by Dr. Neubauer in 1866.¹⁴¹

In memory of the defunct Rabbi a medal was struck during the following year (1843). One side of this medal bears the facsimile of the head and bust of R. Solomon, while the reverse gives the record of his age, date of death, and term of office. It was published by H. Hyams, medallist of Cornhill, who also produced a bronze bust a few inches high.

With R. Solomon Herschel passed away the last of the old Rabbinical school. After his death the community was of opinion that it required as Chief Rabbi 'a man who not only possessed deep Jewish learning and was versed in the depths of Talmud and Halakah, but who was, at the same time, a man of classical and general attainments, of ability to understand and discretion to use the times', and will be able to organize the elements under him.¹⁴² The choice of the community fell, after nearly two years of deliberations, on the late Dr. N. M. Adler, Chief Rabbi of Hanover.

¹⁴¹ Cf. above, p. 51. See preface to the Catalogue.

¹⁴² See *Voice of Jacob*, *ibid.*

PAETOW'S 'GUIDE TO MEDIAEVAL HISTORY'.

Guide to the Study of Mediaeval History. For Students, Teachers, and Libraries. By JOHN LOUIS PAETOW. Berkeley: UNIVERSITY OF CALIFORNIA PRESS, 1917. pp. xvi + 552.

'THE Guide' by Prof. Paetow consists of three parts. The first (pp. 1-104) contains a bibliography of Mediaeval History and Culture, arranged according to subjects, while the second (pp. 105-331) gives a syllabus of the History of the Middle Ages in thirty-five chapters, and the third (pp. 333-483) a syllabus of Mediaeval Culture in twenty-eight chapters. A very full index concludes the book (pp. 485-552). The last two parts have grown out of lecture notes used by the author at the University of California, which have been enlarged and revised so as to be useful to wider circles. In these parts the author first gives a very brief outline of the subject of each chapter, which is followed by special recommendations for reading on the different topics supplemented by a bibliography of the most important books and articles. The author indicates his opinion on the value of the books and articles by the order in which he places them in his bibliography. Occasionally he adds very brief notes.

A book of this character is particularly valuable to the student of Mediaeval Jewish History, who is constantly compelled to study the historical background in order fully to understand the developments in the Jewish world. As he cannot possibly be a specialist in the various periods he may have to study, an authoritative bibliography of the recent literature on the important countries or events will save him much work and prove very helpful.

But the reason which causes me to review a general book like this in the pages of the *Jewish Quarterly Review* is the fact

that the author in his outline as well as in his bibliography tries to do full justice to the part the Jews played in the history of the time. We cannot expect the Mediaeval historian to be acquainted with the Hebrew sources—*Hebraica sunt, non leguntur*—but we have a fair cause for complaint when we find an equal neglect of publications in modern languages on our subject. It is gratifying to find that Prof. Paetow has made extensive and intelligent use of modern Jewish works in his lectures and in the book based upon them:

In examining the book I looked over a considerable part of the recommendations for reading and bibliography and found for the periods with which I am more familiar that I could hardly note any book of importance which was not mentioned by Prof. Paetow. The book therefore, as far as I can judge, in every way fulfills its purpose and can be very warmly recommended as an excellent reference book. I may be permitted to add a few notes and additions which occurred to me in looking over the book. They mostly deal with the history of the Jews.

In the first part nos. 62, 118, 850-84 and 1013 are especially devoted to our subject. In the present state of the bibliography of Jewish literature it is only natural that the specialist will differ with the author about the inclusion or exclusion of one or the other book and will have to make some corrections here and there.

No. 62. Besides Freidus' list there is a good selective bibliography by Streber in Wetzter and Welte's *Kirchenlexicon* (Paetow, 113), vol. VI, p. 1956-61.

No. 850. The last volume of Graetz (5th) to be issued in a new edition appeared in 1909. It ought to have been noted that the English translation omits the notes, references, and appendices which give the book its scientific character, but that it has a good index which is sorely missed in the original.

No. 854. Henne am Rhyn, *Kulturgeschichte des jüdischen Volkes*, is of very slight value. On the other hand S. Cassel's article 'Juden' in *Ersch und Gruber*, section 2, vol. 27, still deserves recommendation.

No. 857. Bridges, 'The Jews of Europe in the Middle Ages', originally appeared in the *Oxford Essays* (1857), p. 204-38; compare also [Cracroft, Bernard] 'The Jews of Western Europe' in *Westminster Review*, vol. 79, April 1863, p. 428-70, reprinted in his *Essays Political and Miscellaneous*, II, 1-70.

No. 863 note: read Karpeles instead of Neumark; *Die Geschichte der jüdischen Literatur* appeared in 1886, second edition, 1909. Steinschneider, 'Jewish Literature', translated by William Spottiswoode, London, 1857 (with Index, Frankfurt, 1893), is infinitely more reliable, though very brief and dry. Winter und Wuensche, *Die jüdische Literatur seit Abschluss des Kanons*, vol. 2 and 3, Berlin 1894-96, also might have been mentioned. The articles are of unequal value, but some are excellent.

No. 865. Of Steinschneider's *Geschichtsliteratur* only vol. I, *Bibliographie der hebräischen Schriften*, has appeared.

No. 867. One wonders why a biography of rather slight value is mentioned in the general bibliography on the 'Intellectual Life of Mediaeval Jews'. The other biographies of Maimonides mentioned on p. 376 are far superior. Of the first of these a second volume appeared in 1914.

No. 868. Among Güdemann's books his *Das jüdische Unterrichtsweisen während der spanisch-arabischen Epoche*, Vienna, 1876, might have been added.

No. 871. Vogelstein and Rieger, *Geschichte der Juden in Rom*, Berlin, 1895-96, 2 vols., will be found in some respects preferable for the student.

No. 873 is a Sunday school book.

No. 874. Chwolson's book in spite of its title hardly deals with the Middle Ages and falls outside of the scope of the Guide.

No. 881. A first part of vol. 2 appeared in Kiel, 1895; add Konrad Eubel, 'Zu dem Verhalten der Päpste gegen die Juden', *Römische Quartalschrift*, XIII, 1899, pp. 29-42. I should have added in this paragraph a book like Gustav Saige, *Les Juifs de Languedoc*, Paris, 1881, or Adolphe Crémieux, *Les Juifs de*

Marseille au Moyen Age, Paris, 1903 (reprinted from the *RÉJ.*), a record of the kindest treatment the Jews met with anywhere during this period; also perhaps Henri Gross, *Gallia Judaica*, Paris, 1897, as well as J. E. Scherer, *Die Rechtsverhältnisse der Juden in den deutsch-oesterreichischen Ländern, mit einer Einleitung über die Principien der Juden-Gesetzgebung in Europa während des Mittelalters*, Leipzig, 1901.

Under the collection of original sources (number 1013) the following might have been added: M. Wiener, *Regesten zur Geschichte der Juden in Deutschland während des Mittelalters*, I, Hanover, 1862, largely dealing with the period not covered by Aronius.

Quellen zur Geschichte der Juden in Deutschland, I–III, Berlin 1888–98.

Gottlieb Bondy and Franz Dworsky, *Zur Geschichte der Juden in Böhmen, Mähren und Schlesien von 906 bis 1620*: I, 906 bis 1576, Prague, 1906, containing 763 documents, published more or less *in extenso*.

Quellen und Forschungen zur Geschichte der Juden in Deutsch-Oesterreich, I–VI, Vienna, 1908 seq.

Jean Regné, *Catalogue des Actes de Jaime I, Pedro III et Alfonso III, rois d'Aragon, concernant les Juifs*: I, 2, Jaime I, Paris, 1911; II, 1, Pedro III, 1914 (reprinted from the *RÉJ.*)

Bartolomeo e Giuseppe Lagumina, *Codice diplomatico degli Judei di Sicilia*, I–III, 2, Palermo, 1884–1909; and perhaps also Fidel Fita, *La España Hebrea*, I–II, Madrid, 1889–98, the second volume including 114 *Privilegios de los Hebreos mallorquines*; and Francisco de Bofarull y Sans, *Los Judios en el Territorio de Barcelona*, 1911, containing publications of 168 documents from the archives.

P. 146. The first edition of Muir's *Life of Mohammed* appeared in 4 vols.; the later editions are abridged.

Wellhausen's illuminating paper, 'Prolegomena zur ältesten Geschichte des Islams' in *Skizzen und Vorarbeiten*, VI, 1–146, ought not to have been omitted in this chapter.

P. 321. Add E. H. Lindo, *The History of the Jews in Spain and Portugal*, London, 1848, which is still useful on account of the large number of Spanish documents translated into English, and Mendes dos Remedios, *Os Judeus em Portugal*, I, Coimbra, 1895. Fernandez y Gonzalez's important book, *Los Mudejares de Castilla* (Madrid, 1866), should find a place in this chapter.

Pp. 375 and 376. Mediaeval Jewish Philosophy should rather be dealt with together with Mohammedan Philosophy. Several books mentioned here under the latter heading deal also with Jewish philosophy; add Prof. Malter's article in no. 105, vol. 9.

Under the heading Mathematics the series of articles in the *Bibliotheca Mathematica*, 1893 seq., by Steinschneider, *Mathematik bei den Juden*, might be mentioned. Perhaps the most important fact in this connexion is Curtze's discovery (*Abhandlungen zur Geschichte der Mathematik*, Leipzig, 1902) that the *Practica Geometriae* of Leonardo Pisano, considered the main source for the introduction of Arabic geometry into Europe, is based entirely on the Latin translation of the Hebrew geometry of Abraham Bar Hiyya. The original of the latter has been published by M. Guttman (Berlin, 1912-3).

P. 408. M. Joel, *Verhältniss Alberts des Grossen zu Moses Maimonides*, Breslau, 1863 (reprinted in his *Beiträge zur Geschichte der Philosophie*, I, 1876).

J. Guttman, *Das Verhältniss des Thomas von Aquino zum Judentum und zur jüdischen Literatur*, Göttingen, 1891.

P. 416. The Grammar published by Poznański does not deserve mention in this place. There are many much more important works on this subject accessible in print.

Of misprints correct, p. 145, *Kairvan* instead of *Kairawan*; p. 21, *Hanau* for *Hannover* as a printing-place for Bongars *Gesta Dei*; p. 250, The Inquisition of Spain, not *in* Spain; and p. 379 *Maimoun* instead of *Maimom*.

The preceding notes may be of some value for future editions which ought to appear at regular intervals in order to keep so useful and important a book up to date. If any of these titles

should appear out of place in so general a book, I may say that I have tried to limit myself as much as possible, and have refrained from making any additions about which there could in my opinion be any doubt. Should the number of additions be considered large, it is only fair to state that I have often been astonished at the number of unusual items included by Prof. Paetow, which show that he has devoted very considerable attention to our subject.

ALEXANDER MARX.

Jewish Theological Seminary
of America.

DS
101
J5
v.10

The Jewish quarterly review.
New ser.

PLEASE DO NOT REMOVE
CARDS OR SLIPS FROM THIS POCKET

UNIVERSITY OF TORONTO LIBRARY
